

# *Application for Renewal*

## **State of North Dakota Telecommunications Relay Service State Program Certification**



Prepared by the

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# North Dakota FCC Certification Renewal and Supporting Documents

## Introduction

The State of North Dakota, with the assistance of Sprint Relay, has prepared this narrative and attached appendices to comply with the FCC TRS Certification Renewal Application, particularly in response to the **FCC Public Notice DA 07-2761, CG Docket No. 03-123** released on June 22, 2007. Included in the Public Notice are the minimum mandatory FCC TRS requirements under 47 C.F.R. **§64.604 and §64.605**. A copy of this Public Notice and these mandatory requirements is attached as Appendix A.

The FCC has requested that each FCC TRS Certification Renewal application responds to the minimum mandatory FCC TRS requirements for providing telecommunication relay services and that each state includes procedures and remedies for enforcing any requirements imposed by state programs. Additionally, the FCC requested that several exhibits such as outreach presentations, promotional items, consumer training materials, and consumer complaint logs be included with the information provided.

The Appendices included with this TRS Certification Renewal Application are as follows:

- A. Copy of the Public Notice DA 07-2761
- B. TRS, CapTel, STS, IP, VRS Training Outlines
- C. TRS, IP, VRS and CapTel Pledge of Confidentiality
- D. E911 Call Procedure
- E. Sprint Carrier of Choice Letter of Invitation
- F. Sprint Outage Prevention Program
- G. Sprint Disaster Recovery Plan
- H. Sprint TRS Standard Features Matrix
- I. Sprint Policy on 10 and 15 minute Rule
- J. FCC TRS Mandatory Minimum Standards & Compliance Matrix
- K. FCC CapTel Mandatory Minimum Standards & Compliance Matrix
- L. Sprint's Report to the FCC on VRS and IP Waivers
- M. Sprint Relay Fact Sheet
- N. Sprint's TSP Press Release
- O. Copy of TRS Information in Telephone Directories
- P. Copy of Telephone Bill Inserts
- Q. Copies of Relay Newsletters
- R. Copy of Annual Report or Other
- S. Copy of Relay Brochures or Other Advertisements
- T. State legislation or Other establishing TRS program in the State
- U. Copies of Complaint Logs
- V. Copy of TRS RFP
- W. Copy of Phone Bill with Surcharge Rate
- X. Copy of the letter notifying the FCC of substantive changes to the TRS program

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## Operational Standards

### A.1 Communication Assistants (CAs)

*§64.604 (a)(1) (i) TRS Providers are responsible for requiring that all CAs be sufficiently trained to effectively meet the specialized communication needs of individuals with hearing and speech disabilities*

#### CA Employment Standards

- Sprint has established a successful procedure to attract qualified applicants for TRS CA positions. The first step in the CA's hiring practice is a validated test that screens for typing, language skills, and other skills related to the CA position. When an applicant passes the test, a Human Resources representative screens the applicant over the phone or in person, for oral communication skills and work availability. If the applicant passes this step, he/she is interviewed in person by an Operations Supervisor for specific job dimensions that relate to the success of a CA. If the supervisor recommends the applicant for employment, the applicant undergoes a drug screen and security/reference check. This process ensures that only qualified applicants are hired to work at a relay center.
- Sprint IP (Internet Relay) CAs follow the same employment and training standards as TRS CAs. In addition, Sprint provides an enhanced VCO service called Captioned Telephone (*CapTel*) Services. Sprint requires that all *CapTel* CAs have a high school graduate equivalency as a minimum qualification for the job.
- All Sprint Video Relay (VRS) Interpreters are qualified and adhere to the Registry of Interpreters for the Deaf (RID) Code of Professional Conduct. For more information about VRS interpreter qualifications and training expectations, see Appendix B.

*§64.604 (a)(1)(ii) CAs must have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications.*

#### Communication Assistants Training Program

- Sprint trainers use adult learning theories; training is adapted to each participant's learning modality; incorporating lecture, visual graphics, flow charts, videos, role playing, and hands-on-call training, to stimulate the CA's ability to learn.
- New hires receive training in Deaf Culture, ASL translation, the needs of non-signing deaf individuals, and sensitivity to the needs of persons with hearing and speech disabilities by a qualified person who, if not deaf or hard of hearing, possesses extensive knowledge in this area. During the CA's initial training, they are trained and evaluated on how to accurately reflect the TTY user's communication and on the CA's role in the relay process. CAs' performance based skills such as grammar; spelling and oral communication abilities are evaluated. Sprint works closely with local deaf and hard of hearing communities to identify knowledgeable presenters to assist with the training. Sprint utilizes videos, role-playing, group activities and discussion groups to educate employees on the different needs of their customers to ensure sensitivity towards customers.

- Additionally, applicants are given written and hands-on evaluations to demonstrate their ability to spell and type accurately, process a call using live training terminals, and role-play in varying levels of ASL. CAs also receive extensive training on how to improve their interpersonal skills so that they can work effectively with difficult and stressful situations that may arise during their employment. These training mandates and skill expectations also apply to Sprint IP CAs and VRS interpreters where appropriate. Please review the Sprint TRS, Speech to Speech (STS), CapTel and Video Relay Service (VRS) Training outlines in Appendix B.
- A team of ASL-fluent Sprint employees developed the ASL Training workbooks that are utilized by CAs for ongoing training. These workbooks have been designed to provide supplemental training and to assist CAs toward the mastery of ASL translation on relay calls.
- **Captioning Assistants Training Program**
- *CapTel* CA training includes comprehensive training on the *CapTel* Service Workstation equipment and other instruction including some live call handling experience. All prospective CAs are required to meet all of the CTI standards for becoming a production CA. These standards include the ability to consistently meet call handling skills such as WPM averages, accuracy averages as well as attendance and attitude standards as set by *CapTel* management. At any time if a prospective CA does not demonstrate the ability to achieve the expected standards, they may be removed from the training group and terminated from employment. See Appendix A
- All *CapTel* CAs are tested for competency in typing, grammar, and spelling to ensure skills meet the FCC Guidelines. *CapTel* CA training provides familiarity with hearing, deaf, and Speech-Disabled cultures. A captioned telephone user does not type while making a call, therefore there is never an opportunity for the CA to have to interpret typewritten ASL.
- *CapTel* CAs must follow certain guidelines while supporting calls. Below is a list of these guidelines.
  - 1.1 The CA shall be trained to caption the words spoken by the hearing party as accurately as reasonably possible, without intervening in the communications. The CA is permitted to provide background noise identification.
  - 1.2 The CA shall not maintain any records of conversation content and shall keep the existence and content of all calls confidential.
  - 1.3 The CA shall be required to meet the FCC standards for TRS minimum transcription speed.
  - 1.4 The CA shall not limit the length of a call and shall stay with the call for a minimum of ten minutes when answering and placing a call.
  - 1.5 The CA shall pass along a *CapTel*/caller's Automatic Number Identification (ANI) to the local Public Service Answering Point (PSAP) if the caller disconnects before being connected to emergency services.

- 1.6 Personnel supporting *CapTel* will have the requisite experience, expertise, skills, knowledge and training and education to perform *CapTel* Services in a professional manner.

- Please review the Sprint TRS, STS, *CapTel* and Video Relay Service (VRS) Training outlines in Appendix B for more information on CA training requirements.

### CA Quality Assurance Programs

- **Monthly Surveys**
  - Sprint Relay conducts monthly surveys and formal reviews to monitor and evaluate the continuing training for Sprint Relay TRS CAs as well as Sprint IP CAs. The survey process used is a product of a task force comprised of management staff. It evaluates all areas of work performance, personal effectiveness and attendance. The survey process goals are to respond to customer feedback and provide the CA with clearly defined and objective performance measures. Two surveys are completed on each CA every month and include areas such as Typing Accuracy, Spelling, Conversational English/ASL Translation, Clarity / Enunciation, Caller Control, and Etiquette/Composure.
- **Quality Assurance Test Calls**
  - To ensure that all CAs are focused on FCC requirements and state contractual commitments, Sprint centers and or an independent third party quality testing firm has been retained by Sprint to perform a total of 700 test calls. Results are provided on a quarterly basis. Feedback and appropriate guiding performance measures for specific components are addressed with each CA.
  - Sprint Relay also conducts test calls to ensure *CapTel* quality at least once a quarter, but often conducts monthly tests of 100 test calls on *CapTel*.
- **Relay Program Management and Trainer Test Calls**
  - Additionally, the Operations department and members of the Relay Program Management Team identify areas of concern based on customer feedback, state feedback, individual survey results and customer contacts. Approximately 300 test calls per month are conducted focusing on the identified monthly call-processing topic. Results are compiled and shared with Operations' management. Based on the results, the trainers and management determine if refresher training is required and what method will be used for delivery.
  - Sprint Relay and the Relay Program Management team also perform test calls for *CapTel* CAs.
  - ***§64.604 (a)(1)(iii) CAs must provide a typing speed of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must give oral-to-type tests of CA speed.***

## Transmission of 60 WPM

- All Sprint Relay CAs type a minimum of 60 words per minute (WPM). Sprint Relay utilizes an oral-to-type test that simulates actual working conditions. CAs are tested on an ongoing basis to ensure that a 60 WPM performance requirement is maintained. During this test, Sprint Relay does not use technology-aided transmission to ensure the typing speed. The scores for each CA are the actual words per minute that are typed. The most recent test results were an overall 82.5 WPM with 97% accuracy for all call centers. This applies to Sprint IP and IP wireless relay CAs as well.
- Sprint Relay utilizes technological aides during relaying such as pre-programmed macros and auto-correcting software, along with the CA's natural skill, to provide optimal service.
- *CapTel's* voice recognition technology transmits above 100 WPM. While oral to type tests are waived as a result of this technology, oral to text tests are given to all *CapTel* CAs.
- ***§64.604 (a)(1)(iv) TRS providers are responsible for requiring that VRS CAs are qualified interpreters. A "qualified interpreter" is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.***
- **Qualified VRS interpreters**
- All Sprint Video Relay (VRS) Interpreters are qualified and adhere to the Registry of Interpreters for the Deaf (RID) Code of Professional Conduct. For more information about VRS interpreter qualifications and training expectations, see Appendix B.
- ***§64.604 (a)(1) (v) CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of ten minutes. CAs answering and placing an STS call must stay with the call for a minimum of fifteen minutes.***
- **In-Call Replacement of CAs**
- Sprint Relay requires all CAs, including Sprint IP and IP Wireless CAs, and VRS Interpreters, also known as Video Interpreters (VIs), to stay on the call for a minimum of 10 minutes, with the exception of Speech to Speech (STS) CAs, who must stay on the call for a minimum of 15 minutes. This is included in the CA training matrix under Appendix B, Module 4I, and the Video Relay Service Training Outline and Qualifications. CapTel CAs also stay on all calls for a minimum of 10 minutes.
- ***§64.604 (a)(1)(vi) TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if a transfer occurs, at the time the call is transferred to another CA.***

When a Sprint relay user requests a CA of the opposite gender of the CA who initially receives the call, the relay user is switched to an appropriate CA as soon as one becomes available. If a change of CA is necessary during the call, every attempt will be made to accommodate the previous gender request. When a Sprint VRS and Sprint IP or IP Wireless user requests a



specific gender, every attempt will be made to honor the request. If a change of Video Interpreter is necessary during the call, every attempt will be made to accommodate the previous gender request.

- *CapTel* CAs are waived from this requirement. See Appendix K, FCC *CapTel* Mandatory Minimum Standards & Compliance Matrix.
- ***§64.604(a)(1)(vii) TRS shall transmit conversations between TTY and voice callers in real time.***
- Sprint CAs transmit and relay all conversations between the caller and the called parties in real time.
- *CapTel* is a transparent service. CAs transmit audio and captioned text conversations from the voice caller to the *CapTel* user in real time. Since the *CapTel* user utilizes their own voice to transmit, no transmission occurs from the CA to the voice caller.

## A.2 Confidentiality and Conversation Context

***§64.604 (2)(i) Except as authorized by section 705 of the Communications Act, 47 U.S.C. 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content, and with a limited exception for STS CAs, from keeping records of the content of any conversation beyond the duration of a call, even if to do so would be inconsistent with state or local law. STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls, at the request of the user. The caller may request the STS CA to retain such information, or the CA may ask the caller if he wants the CA to repeat the same information during subsequent calls. The CA may retain the information only for as long as it takes to complete the subsequent calls.***

### Confidentiality Policies and Procedures

Sprint Relay believes that measures to ensure confidentiality are crucial to the success of TRS, Sprint IP/IP Wireless and VRS operations and has implemented procedural and environmental measures to safeguard customer and call information.

In accordance with the FCC regulations, all information provided for the call set-up, including customer database records remain confidential and cannot be used for any other purpose. Once the inbound party disconnects, CAs and Video Interpreters lose the ability to view or access any information pertaining to that call. No written or taped information regarding the call is kept once the call is released from the Relay position. Billing information is transferred to billing files after the call has been terminated and is no longer available except for billing purposes.



The only exception to this policy relates to STS calls. Sprint STS Relay Agents may retain information from one inbound call for use in a subsequent outbound call, with the caller's permission. Such information will only be retained for the duration of the inbound call.

Sprint Relay's confidentiality expectations are strictly enforced and employees are expected to comply with this policy during and after their period of employment. Sprint strictly enforces confidentiality policies in the Center, which include the following:

- Prospective CAs and VIs undergo a thorough background investigation and screening.
- During initial training, CAs and VIs are presented with examples of potential breaches of confidentiality.
- Stress can be a factor in maintaining confidentiality. CAs and VIs receive training on healthy detachment.
- Breach of confidentiality will result in disciplinary action up to and including termination of employment.
- CAs perform their work in cubicles that are bordered by high sound-absorption acoustic tiles and wear special noise reducing headsets.
- All Sprint Relay Centers have security key access.
- Visitors are not allowed in Relay work areas.
- Supervisors are present in the work area to observe behavior.
- All Relay Center personnel are required to sign and abide by the Sprint Relay Center's Agreement Regarding Confidential Customer Information.
- All employees attend annual confidentiality meetings wherein the confidentiality agreement is reviewed and re-signed.

Sprint Relay Center's Agreement Regarding Confidential Customer Information requires CAs and VIs to:

- Keep all call information confidential.
  - Not edit or omit any content from the conversation.
  - Not add or interject anything into the content or spirit of the conversation.
  - Assure maximum user control.
  - Continuously improve their skills.
- Please refer to Appendix C for the TRS Pledge of Confidentiality. This document is similar to what is used for Sprint VRS interpreters and IP/IP Wireless CAs.

*CapTel* Captioners must comply with the same rules that TRS follows regarding confidentiality. The *CapTel* confidentiality form is similar to TRS. Below is an explanation of confidentiality as it pertains to *CapTel* Captioners. A copy of the *CapTel* confidentiality form signed by *CapTel*/CAs can be found under Appendix C.

Information obtained during a *CapTel* call should not be shared with any person except a member of the *CapTel* management staff who has asked for specific information. This information may be needed to clarify technical, policy, emergency, venting, consumer, or customer service issues. General call information will not be shared unless it is used to clarify, vent, or teach. Information about call content should be discussed in a private area only.

Only information critical to resolving the situation will be disclosed. This may include consumer name, name of business/agency, gender of caller, type of call (voice in, *CapTel* in), day of week, time of day, city, state, or any other details that could in some way identify a consumer.

A Captionist may have problems, complaints or stress from handling the call. The Captionist may ask to speak to a supervisor or other member of management (as long as it wasn't their call) in a private area.

The success of *CapTel* depends on quality and complete confidentiality. Since consumers will be less likely to use the service if they feel their personal and professional calls are not kept in the strictest confidence, all Captionists understand and abide by the confidentiality policy. Any Captionist who breaks this policy will be disciplined, up to and including termination.

### STS Limited Exception of Retention of Information

- At the request of a caller, Sprint Speech-to-Speech (STS) CAs will retain information from a call in order to facilitate the completion of consecutive calls. No information is kept after the inbound call is released from the CA position.
- *§64.604 (2)(ii) CAs are prohibited from intentionally altering a relayed conversation and, to the extent that it is not inconsistent with federal, state or local law regarding use of telephone company facilities for illegal purposes, must relay all conversation verbatim unless the relay user specifically requests summarization, or if the user requests interpretation of an ASL call. An STS CA may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the user does not object. Appropriate measures must be taken by relay providers to ensure that confidentiality of VRS users is maintained.*

### Verbatim Relay and the Translation of ASL

- Sprint Relay CAs type to the TTY user or verbalize to the non-TTY user exactly what is said, verbatim, when the call is first answered, and at all times during the conversation, unless either relay user specifically requests summarization or ASL interpretation.
- At the request of the relay user, Sprint Relay CAs will translate written ASL into conversational English. All Sprint Relay CAs are able to translate the typed languages of relay users whose primary language may be ASL or whose written English language skills are limited to conversational grammatically correct English. Training is provided on various levels of English/ASL during the initial training, as well as throughout a CAs' employment. In order to finish training successfully, the CA must demonstrate competent skills to translate the calls as requested.
- Sprint VRS interpreters, Sprint IP/IP Wireless CAs and *CapTel* CAs are prohibited from intentionally altering a relayed conversation and will relay all conversation verbatim.
- **STS Facilitation of Communication**

- Sprint Relay STS CAs receive training on how to facilitate STS communication without interfering with the independence of the user. STS CAs are evaluated monthly on their ability to facilitate the call without altering content of the conversation or compromising the user's control. Sprint Relay users have full control of all of their relay calls.

### A.3 Types of Calls

*§64.604 (3) (i) Consistent with the obligations of telecommunications carrier operators, CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services.*

#### Sprint Relay Services

- Sprint Relay provides 24 hour, 7 day-a-week Telecommunication Relay Service (TRS) for standard (voice), Text Telephone (TTY), wireless, or personal computers (PC) users to place local, intrastate, interstate, and international calls. Sprint Relay also processes calls to directory assistance and to toll free numbers. There are no restrictions on the duration or number of calls placed by any relay user. All relay users accessing Sprint Relay retain full control of the length and number of calls placed anytime through relay. Sprint IP/IP Wireless CAs and VRS interpreters are also prohibited from refusing single or sequential calls or limiting the length of calls using relay services.
- *CapTel*/CAs are currently waived for outbound calls because the *CapTel*/CA is not involved in the call set up and cannot refuse the call. *CapTel*/users dial sequential calls directly, therefore, it is not possible for a *CapTel*/CA to refuse sequential calls or limit length of calls.
- *CapTel* CAs are not waived by the FCC for inbound calls to a *CapTel* user made through a TRS facility. However, if a call is made directly to the captioned telephone access number no set up is involved and the *CapTel* CA cannot refuse to call. Please see Appendix K for more information on these waivers.
- *§64.604 (3)(ii) Relay services shall be capable of handling any type of call normally provided by telecommunications carriers unless the Commission determines that it is not technologically feasible to do so. Relay service providers have the burden of proving the infeasibility of handling any type of call. (iii) Relay service providers are permitted to decline to complete a call because credit authorization is denied. (iv) Relay services shall be capable of handling pay-per-call calls.*
- Sprint Relay works in conjunction with the Local Exchange Enhanced Services to provide additional functionality for users of TRS. Sprint processes collect and person-to-person calls and calls charged to a third-party as well as calls billed to prepaid and non-proprietary calling cards offered by the local or any other interexchange carrier. Sprint Relay will also process calls to or from restricted lines e.g. hotel rooms and pay telephones.
- When a TRS or *CapTel*/call is placed through Sprint Relay, the user will be billed in the same manner that a non-relay user would be billed. The relay user will only be billed for conversation time, (which does not include call setup time, time in between calls, and wrap-up

time) on toll calls. Billing will occur within 60 days of the call date. Sprint gives users the option of billing their calls to a non-proprietary LEC (local) or IXC (long distance) calling cards. Sprint will process calling cards offered by the user's carrier of choice if the carrier is a participant of Sprint's Carrier of Choice (COC) program and as long as Feature Group D is at the Carrier's access tandem. Sprint works with the LECs and IXCs to compile and make available to all TTY or *CapTel* users a list of acceptable calling cards. The user's carrier of choice is responsible for providing call types and available billing options, and will also handle the rating and invoicing of toll calls placed through the relay. Sprint was the first provider to process pay-per-calls, beginning with the state of Texas in 1996.

- Sprint VRS, Sprint IP and IP Wireless are waived from these requirements. Please refer to the Sprint VRS and IP Report to the FCC, Appendix L.
- ***\$64.604 (3)(v) TRS providers are required to provide the following types of TRS calls: (1) Text-to-voice and voice-to-text; (2) VCO, two-line VCO, VCO-to-TTY, and VCO-to-VCO; (3) HCO, two-line HCO, HCO-to-TTY, HCO-to-HCO.***
- Sprint Relay provides access to all available relay call types. A complete list of all call types proved by Sprint may be found in Appendix I Sprint Standard Features Matrix. Most call types are waived by the FCC for IP and VRS users. Please refer to the Sprint VRS and IP Report to the FCC, Appendix L.
- Except where waived by the FCC, *CapTel* users are able to access all types of TRS calls. The requirement to provide 711 dialing is waived for outbound calls made from a *CapTel* phone. STS and HCO calls are also waived.

***\$64.604(3)(vi) TRS providers are required to provide the following features: (1) Call release functionality; (2) speed dialing functionality; and (3) three-way calling functionality.***

#### Call Release Functionality

- TTY to TTY Call Release Functionality allows the CA to connect two TTY users and then drop off the line, leaving the two TTY customers connected. This is especially useful for customers needing to use a pre-paid calling card, reach another TTY user through a switchboard or operator, or when needing to speak with a voice user first. With 2-Line *CapTel* service, a *CapTel* user can release or receive captions at any time during a call.

#### Frequently Dialed Numbers

- Frequently Dialed Numbers, sometimes referred to as Speed Dial Numbers, allow relay users to store up to 10 frequently called numbers in their customer preference database along with a name for each entry. When initiating a call the user can then provide the name to Sprint Relay CAs, instead of the entire 10-digit number. The *CapTel* Consumer Premises Equipment (CPE, or *CapTel* phone) is equipped with the ability to program in 3 speed dial numbers, and a recently dialed number.

## Three-Way Calling

- Customers who have purchased three-way calling from their LEC can use the feature when placing a call through Relay. This feature allows a customer to add a third party to a TRS call. For example, a TTY caller places a call to the Relay and then bridges another TTY person on his or her line. The original TTY caller then requests to place a call to a voice user. The CA will make the connection and Relay the call between the voice party and both TTY users. This process would also apply if there were two voice customers and one TTY user on the line.
- Sprint *CapTel* users are also able to participate in a three way call. Although the person using the captioned phone is unable to establish the three-way call, the called party will be able to do so by utilizing the telephone switch hook (or "flash") button on his or her CPE. Thus, Sprint *CapTel* meets the requirement for three-way calling for users of One-Line *CapTel*. For Two-Line *CapTel*, either party can initiate a three- way call should the user purchased this as a LEC option. Sprint *CapTel* users are also able to participate in a conference bridge to speak to three or more individuals.

*§64.604(3)(vii) Voice mail and interactive menus. CAs must alert the TRS user to the presence of a recorded message and interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's TTY indicating that a recording or interactive menu has been encountered. Relay providers shall electronically capture recorded messages and retain them for the length of the call. Relay providers may not impose any charges for additional calls, which must be made by the relay user in order to complete calls involving recorded or interactive messages.*

When a Sprint Relay caller reaches an answering machine, voice mail or interactive menu, the CA informs the relay caller by hitting a macro which reads (ANS MACH) or (RECORDING) to keep the caller informed of the call progress. The CA then, if necessary, presses a hot key to record the voice announcement and relay the message back to the caller. The CA utilizes Sprint's recording technology to obtain all information necessary on the first attempt. The CA relays all of the recorded information to the customer and deletes the recorded message. This technology greatly reduces the CA work time, as the CA does not need to make multiple outdials. In addition, Sprint relay callers are only charged for the first call. Subsequent redials to leave a message or enter information into an interactive menu are not charged to the customers. Sprint has developed a procedure using our Ultra WATS lines to ensure that with additional out-dials the customer does not incur toll charges.

*CapTel* users are able to hear and interact directly with the recorded message and makes the selections as requested by the interactive menu. The *CapTel* user is alerted to the presence of a recording by hearing the recording and seeing the captions of the recording as the message is played.

*CapTel* users can replay messages as required until the message is both heard and read as captions. The user can stay on the line as long as desired until the message is heard in its entirety or replayed. This is requested by the user directly. The *CapTel* user interacts with the recorded message system directly. This is treated as one call.

- Callers to Sprint relay services access 900 services by dialing a free 900 number to access relay. Use of a toll-free 900 number inbound to the relay center provides functionally equivalent access to the telecommunications network while preventing unauthorized end users from circumnavigating the LEC restrictions. This process ensures that the LEC will only complete those calls into the relay service that do not have a 900 number block added to their phone lines. The 900 service provider and the 900 number carrier(s) will rate and bill the user as if the call was dialed directly from the originating user's telephone.
- The Relay North Dakota current 900 number is 900-230-5151

***§64.604 (a) (3)(viii) TRS providers shall provide, as TRS features, answering machine and voice mail retrieval.***

Sprint Relay TRS, Sprint IP/IP Wireless and VRS VIs provide both answering machine and voice mail retrieval. Please refer to Appendix I, Standard Call Features Matrix.

### **Answering Machine**

- Sprint Relay CAs will inform relay users when reaching an answering machine, voice mail or interactive menu. The CA will hit a "hot key" which reads (ANS MACH) or (RECORDING) to keep the caller informed of the call progress.
- When reaching a recorded message, the CA utilizes Sprint's recording technology to obtain all information necessary on the first attempt. The CA can then play back the recording at a pace that allows them to relay the entire message to the caller, after which the recorded message is deleted. This technology greatly reduces the CA's work time and accordingly, time billed to the State.
- The CA will type the entire outgoing message verbatim including the option for the Relay User to leave a message, if applicable.
- The CA will leave the relay user's message in the appropriate mode of communication. Sprint has the capability to leave messages in both voice, text and touch tones (pagers).
- Once the CA has left the message on the answering machine or voice mail, the CA will send a pre-programmed response to the relay caller stating:

(UR MSG LEFT) CA XXXXM/F GA

- Subsequent redials to leave a message or enter information into an interactive menu are not charged to the customers. Sprint has developed a procedure using our Ultra WATS lines to ensure that with additional outdials, the customer does not incur toll charges. Customers will only be charged for the first call. CapTel CAs are also equipped with the ability to retrieve messages stored on a local answering machine.
- **Voicemail Retrieval**



- Sprint has the capability to retrieve messages from answering machines by placing an outbound call to a remote location or the same location. When a user requests to retrieve messages at the same location, the CA will instruct the user when to take the handset off the hook and when to begin playing back the messages. The CA will retrieve all messages and relay verbatim. The recorded message will be automatically deleted by the system once the relay call is completed. The *CapTel* user both hears and interacts directly with the recorded message and makes the selections as requested by the interactive menu. The *CapTel* user is alerted to the presence of a recording by hearing the recording and seeing the captions of the recording as the message is played.
- *CapTel* users can replay messages as required until the message is both heard and read as captions. The user can stay on the line as long as desired until the message is heard in its entirety or replayed. This is requested by the user directly. The *CapTel* user interacts with the recorded message system directly. This is treated as one call.

#### A.4 Handling of Emergency Calls

***§64.604(a)(4) Handling of emergency calls. Providers must use a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to an appropriate Public Safety Answering Point (PSAP). An appropriate PSAP is either a PSAP that the caller would have reached if he had dialed 911 directly, or a PSAP that is capable of enabling the dispatch of emergency services to the caller in an expeditious manner.***

- Sprint meets the requirements of emergency calls by immediately routing 911 calls to an appropriate Public Service Answering Point (PSAP) that the caller would have reached by dialing 911 directly, or a PSAP that is capable of dispatching emergency services in an expeditious manner. With one CA keystroke, Sprint's intelligent CA application utilizes the NPA/NXX information of the inbound caller to immediately cross-reference this information to a national database containing the ten-digit emergency number for every PSAP. Within seconds, this number is entered in the dial window and the call is then immediately initiated.
- Sprint Relay considers an emergency call to be one in which the user of the Relay Service indicates they need the police, fire department, paramedics or ambulance. Sprint utilizes a standard E911 database that serves all of the United States and has uniform procedures, as noted below, which are followed at every Sprint Relay Center.
  - The CA, when told by a TTY/ASCII user (non-voice) that an emergency exists, will hit a hot key.
  - The CA terminal will post a query containing the caller's ANI to the E911 database.
  - The E911 database currently responds with the telephone number of an appropriate PSAP; automatically dials the PSAP number and passes the caller's ANI to the E911 Service Center.
  - The CA will remain on the line and will verbally pass the caller's ANI to the E911 Service Center Operator.



- Relay users will be encouraged to dial 911 as their primary means of contacting Emergency Services. However, if a Relay user makes an emergency call through Relay, the Sprint CA will make every effort to correctly route the call to an appropriate PSAP based on the network and user-provided information. As required by the FCC, CAs will remain on the line and give the Emergency Service Provider the caller's telephone number, even if the caller is no longer on the line.
- It is Sprint's opinion that in some emergencies, valuable time could be lost if the TTY call were to be transferred to the PSAP, and the results could be life threatening. Therefore, Sprint will allow direct TTY-to-TTY communication in the following scenarios, if allowed by the FCC:
  - At the request of the caller,
  - At the request of the PSAP Operator or PSAP Supervisor,
  - The CA will remain connected and will silently monitor the call, if:
  - The PSAP is not capable of receiving and conversing directly with the caller in the modality of the caller (i.e. if the caller is using a communication modality other than TTY, [i.e., VCO, HCO, STS, ASCII, VRS, or Internet Relay]), or
  - The CA is having technical trouble transferring the call to the PSAP (i.e., the caller is disconnected from the PSAP; the PSAP cannot establish a TTY connection, etc.).
- The CA will assist, as necessary, to maintain communications between the PSAP and the caller. Otherwise, the Sprint CA will remain on the line to provide assistance as necessary to facilitate communication for all emergency calls and will not disconnect until the call has been completed.
- 911 services are currently waived for IP and VRS providers. Sprint strongly encourages Internet Relay users to dial 911 directly to receive prompt emergency services via TTY or phone.
- Sprint IP via website permits manual 911 processing. If user tell operator to dial 911, operator will request supervisor assistance. User will need to provide the address and city where he/she is calling from. Supervisor will call Directory Assistance (on separate phone call) to obtain 10-digit emergency PSAP number. Then the supervisor will pass it to CA to make outbound call to 911 dispatcher (PSAP). It can take few minutes or so to get the information. Users are encouraged to enter a 10-digit emergency number on the website for more efficient call processing.
- More information about Sprint's procedure for handling E911 calls, including *CapTel* calls, may be found in Appendix D.

## Telecommunications Service Priority Program

- Sprint announced on October 31, 2005, that it had completed all milestones in enrolling its Telecommunications Relay Service (TRS) in the FCC's Telecommunications Service Priority (TSP) program. On May 11, 2005, Sprint began implementing TSP throughout its network. On October 31, Sprint successfully activated all 14 call centers under the TSP program. Sprint's participation in the TSP Program strengthens their already robust reliability.

- In 1988, the TSP program was established to prioritize the restoration of telephone service to critical facilities and agencies at times when telecommunications companies are typically overburdened with service requests, such as after a natural disaster. In the event of a regional or national crisis, the program restores telephone services most critical to national and homeland security on a priority basis.
- The Sprint TRS network is designed to reroute traffic to other Sprint Relay centers across the country to provide uninterrupted service. However, if a national or regional emergency causes service to be disrupted and the relay call center is unable to receive or place calls, Sprint's participation in the TSP program means that Local Exchange Carriers (LECs) are required to restore service to the relay call center as rapidly as possible consistent with the priority status assigned to the relay call center. Unlike other TRS providers, when a disaster occurs, Sprint TRS has the ability to reroute calls immediately to unaffected relay call centers and continue processing calls with minimal customer impact.
- The Sprint relay call centers participating in TSP are:
  - Albuquerque Switch (Albuquerque, NM and Honolulu, HI)
  - Austin Switch (Austin, TX and Lubbock, TX)
  - Dayton Switch (Dayton, OH and Cayce, SC)
  - Independence Switch (Independence, MO)
  - Jacksonville Switch (Jacksonville, FL)
  - Lemoore Switch (Lemoore, CA)
  - Sioux Falls Switch (Sioux Falls, SD and Moorhead, MN)
  - Syracuse Switch (Syracuse, NY and Holyoke, MA)
  - New Jersey Switch (Vineland, New Jersey)
- The TSP program ensures that the Sprint relay call centers are placed on a priority basis to re-establish telephone service for Relay **North Dakota** users. Sprint is proud to voluntarily comply with the FCC's TSP program. Please see Appendix N for a copy of the general press release regarding the TSP program.

#### A.5 STS Called Numbers

- ***§64.604 (a)(5) STS called numbers. Relay providers must offer STS users the option to maintain at the relay center a list of names and telephone numbers which the STS user calls. When the STS user requests one of these names, the CA must repeat the name and state the telephone number to the STS user. This information must be transferred to any new STS provider.***
- Sprint's Relay customer database is available to Speech-to-Speech (STS) users. The database can be used to store a list of names, frequently dialed telephone numbers, and customer notes. The database automatically appears on the CA's terminal screen each time a user dials into one of the Sprint relay numbers. The customer database helps to facilitate call set up and conversing preferences for the STS user. Customer profile information contained in the Sprint Customer Database will be transferred to any new provider at the end of the contract term. Currently, STS is waived from Internet Relay, Video Relay and *CapTel* services.

## Technical Standards

### B.1 ASCII and Baudot

- *§64.604 (b) Technical standards—(1) ASCII and Baudot. TRS shall be capable of communicating with ASCII and Baudot format, at any speed generally in use.*
- Each Sprint CA position is capable of receiving and transmitting in voice, Baudot including TurboCode™ and E-TurboCode™ as well as ASCII codes. Upon a call being received at the CA position, TTY signals are automatically identified as either Baudot or ASCII; if ASCII, the baud rate is detected. Intelligent modems allow the CA to handle either voice or data lines from the same CA work station.
- This automatic identification of call types for incoming calls provides a quick and efficient technique for varied customer input and reduces the average CA work time to a minimum.
- ASCII rates up to and including 19,200 bps are supported by the Sprint platform. The domestic TTY baud rate of 45.5 and the international rate of 50 baud are also supported.
- Sprint IP currently provides services via ASCII connection. Currently, ASCII and Baudot requirements are waived for *CapTel*/services. For more information about *CapTel*/waivers, see Appendix K.
- 

### B.2 Speed of Answer

- *§64.604 (2) Speed of answer. (i) TRS providers shall ensure adequate TRS facility staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.*
- Sprint Relay has developed the capability to effectively manage a human resource pool that provides unsurpassed quality. Sprint has gained valuable experience in sizing its TRS Operations to accommodate contract requirements. Historical call detail is gathered by 15-minute periods throughout the years of providing TRS service. This historical information is combined with state-specific information to establish anticipated call patterns that accurately predict the personnel needs necessary to efficiently process the relay calls.
- Sprint meets the requirement of answering 85% of all calls within 10 seconds on a daily basis by a live CA. (Abandoned calls are included in this 85/10 Service Level calculation.) Sprint will ensure that no more than 30 seconds elapses between the receipt of the dialing information and the dialing of the requested number.
- Sprint samples the average answer time a minimum of every 30 minutes for each 24-hour period. Sprint's Traffic Management Control Center (TMCC) and our Enhanced Services Operations Control Center (ESOCC) are staffed with professionals who understand call

processes, call volumes, distribution patterns, contract requirements and call routing, thus ensuring exemplary service.

- The Sprint Centers that serve North Dakota are provided with sufficient facilities to provide a Grade of Service (GOS) of P.01 or better for calls entering the North Dakota call center switch equipment. Inbound calls that may be blocked within the Public Switched Telephone Network (PSTN) will receive a voice recording stating that all circuits are busy and to try the call again within a few minutes.
- Performance of inbound traffic on each toll-free number where it enters the Sprint network is measured continuously and reported both daily and monthly. These measurements, which include traffic volume and blockage data, are compiled into a monthly report available to the state. In addition, the dedicated trunk facilities that route the call from the terminating network switch to the ACD (Automatic Call Distributor) at the serving relay center are monitored daily for compliance with blockage limitations. The data is monitored for both short and long-term trends to ensure the most cost-effective use of resources.
- Sprint also meets requirements for Sprint IP/IP Wireless, VRS and *CapTel* calls. Sprint *CapTel* ensures that 85% of all calls are answered within 10 seconds and that caller's calls are immediately placed. Sprint does not put calls in a queue or on hold. Abandoned calls are included in the speed-of-answer calculation. Sprint *CapTel* system is designed to a P.01 standard or greater measured on a daily basis.
- *§64.604 (b) (2) ((ii) TRS facilities shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold. The ten seconds begins at the time the call is delivered to the TRS facility's network. A TRS facility shall ensure that adequate network facilities shall be used in conjunction with TRS so that under projected calling volume the probability of a busy response due to loop trunk congestion shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.*
- Sprint has met the requirement of answering 85% of all calls within 10 seconds on a daily basis by a live CA. (Abandoned calls are included in this 85/10 Service Level calculation.) Sprint samples the average answer time a minimum of every 30 minutes for each 24-hour period. Sprint currently samples every 15 minutes.
- Sprint Relay is committed to providing relay users with functionally equivalent telecommunication services as that enjoyed by standard telephone users. To this end, Sprint will continue to answer 85% of all relay calls within 10 seconds. There will be no more the 30 seconds of elapsed time between receipt of dialing information and the dialing of the requested number.
- Sprint begins measuring speed-of-answer at the time the call hits the Relay switch. Calls are answered by a live CA and are not to be placed in a queue or on hold after reaching the Relay switch.
- Sprint's Service Level calculation for TRS

- Sprint's Service Level calculation for all TRS calls, excluding *CapTel*, is described below:
- $\text{Number of calls handled} < 10 \text{ seconds} / (\text{total calls handled} + \text{total calls abandoned})$
- The SVL is the number of calls handled in 10 seconds or less divided by the total number of calls offered.
- $(\text{Number of calls offered} = \text{total number of calls handled} + \text{total number of calls abandoned}),$
- $(\text{SVL} = \text{Number of calls handled in} < 10 / \text{Number of calls offered}).$
- **Sprint's Service Level Calculation for CapTel**
- For *CapTel* users, the number of calls that arrive at the *CapTel* call center will be the number of Calls Offered.
- The number of calls that are answered by a CA is the number of Calls Answered.
- The time for each call between the time the call arrives at the *CapTel* call center and the time answered by a CA until it is abandoned is the Speed of Answer.
- Any time spent in the Voice-in telephone menu is time controlled by the user to enter in the phone number of the CapTel user they are calling. This time is subtracted out from the Speed of Answer time.
- The total number of calls with the Speed of Answer as 10 seconds or less is the number of Qualifying Calls.
- $\text{Qualifying Calls divided by Calls Offered} = \text{Service Level (x percent of calls answered within 10 seconds)}.$
- **Sprint's Weighted Service Level for TRS**
- Sprint uses a 'weighting' process to combine the results of several Call Centers into a single result:
- The 'weighted' service level (SVL) is a calculation that multiplies the number of 'State' calls handled in each center by the center's daily SVL (the outcome is a factor called 'SVL points'). The resultant 'SVL points' for each center that handled that 'State' traffic is then summed. The sum of the 'SVL points' is then divided by the total number of 'State' calls to get a daily 'weighted' SVL.
- Sprint will answer 85% of all calls within 10 seconds on a daily basis and will not place a caller in queue or on hold. The ten seconds begins at the time the call is delivered to the Sprint Relay Center and Sprint will ensure that adequate network facilities are available to avoid the possibility of a busy response due to loop trunk congestion.
- **Sprint's Weighted Service Level for CapTel**

- While *CapTel* operates two *CapTel* call centers, all calls are directed through one Automatic Call Distributor switch. All calls are answered in the order received and is measured, unweighted, by this switch.
- ***§64.604 (b) (ii) (A) The call is considered delivered when the TRS facility's equipment accepts the call from the local exchange carrier (LEC) and the public switched network actually delivers the call to the TRS facility.***
- Sprint considers the call delivered when the Relay Center's equipment accepts the call from the LEC, and the public switched network actually delivers the call to the TRS Center.
- Sprint furnishes the necessary telecommunications equipment facilities, and system software for the complete TRS operation. Sprint is a certified Interexchange Carrier (IXC) in all 50 states. Sprint's transmission circuits meet, and in most cases, exceed the ANSI T1.506-1990 Network Performance – Transmission Specifications for Switched Exchange Access Network standards.
- ***§64.604 (b) (ii) (B) Abandoned calls shall be included in the speed-of-answer calculation.***
- Please see (b)(2)(ii) above.
- ***§64.604 (b) (ii) (C) A TRS provider's compliance with this rule shall be measured on a daily basis.***
- Please see (2) (b)(ii) above.
- ***§64.604 (b) (ii) (D) The system shall be designed to a P.01 standard.***
- Sufficient transmission facilities have been provided to service all traffic levels, including busy hour peaks. Sprint utilizes trunks that are sized to provide a busy hour Grade of Service (GOS) of P.01 or a minimum of 99 out of 100 calls will have unrestricted and immediate access to the call center facilities during the busiest time of day.
- Inbound calls that may be blocked within the Public Switched Telephone Network (PSTN) will receive a voice recording stating that all circuits are busy and to try the call again within a few minutes.
- In addition, the dedicated trunk facilities that route the call from the terminating network switch to the ACD (Automatic Call Distributor) at the serving relay center are monitored daily for compliance with blockage limitations.

Sprint ensures no greater than 1% blockage on a daily basis. Sprint offers state Relay customers the advantages of a superior digital fiber network unsurpassed in the industry. Through use of leading switch technology and SONET network survivability techniques, Sprint's network ensures a very low level of call interruption or blockage.

The Sprint network switch architecture is non-hierarchical, that is, all switches are directly interconnected. Sprint switches are processor-controlled using advanced digital technology and are virtually non-blocking. A call across the Sprint network passes over Inter Machine Trunks (IMT) which are engineered at P.01 Grade of Service (GOS) at the busy hour to allow for maximum network call completion. The P.01 GOS requirements ensure that at least 99% of calls to the Relay Center will reach a CA. The Local Exchange Carrier (LEC) network typically utilizes a P.01 grade of service also, and similar blockage rates should apply on their facilities.

- *\$64.604 (b) (ii) (E) A LEC shall provide the call attempt rates and the rates of calls blocked between the LEC and the TRS facility to relay administrators and TRS providers upon request.*
- Performance of inbound traffic on each toll-free number where it enters the Sprint network or relay center facility is measured continuously and reported both daily and monthly. These measurements, which include traffic volume and blockage data, are compiled into a monthly report available to the state.
- *\$64.604 (b) (iii) Speed of answer requirements for VRS providers are phased-in as follows: by January 1, 2006, VRS providers must answer 80% of all calls within 180 seconds, measured on a monthly basis; by July 1, 2006, VRS providers must answer 80% of all calls within 150 seconds, measured on a monthly basis; and by January 1, 2007, VRS providers must answer 80% of all calls within 120 seconds, measured on a monthly basis. Abandoned calls shall be included in the VRS speed of answer calculation.*
- Sprint Relay complies with this requirement. Please refer to Sprint Relay's report to the FCC under Appendix L.

### B.3 Equal Access to Interexchange Carriers

- *\$64.604 (b) (3) Equal access to interexchange carriers. TRS users shall have access to their chosen interexchange carrier through the TRS, and to all other operator services, to the same extent that such access is provided to voice users.*
- Sprint provides North Dakota callers with the ability to have their intrastate, interstate and international calls carried by any Interexchange carrier who has agreed to participate in the North Dakota Carrier of Choice (COC) program. When a caller indicates their COC preference, the CA will verify that the requested carrier is a COC participant, if they are, the call will be routed accordingly. Callers will be able to use any billing method made available by the requested carrier including collect, third party, prepaid and calling cards.
- The current participating members of Sprint Carrier of Choice program are:

AT&T Communications

Bell South Long Distance

Bestline

Birch Telecom

Broadwing Communications

Broadwing Telecommunications

Cox Communications



Excel Telecommunications, Inc.  
Global Crossings Telecommunications  
MCIWorldCom  
McLeod USA  
Qwest Communications  
SBC Communications Long Distance  
Souris River Telecommunications  
Sprint  
Telecomm\*USA (MCIWorldCom)  
Touch America Services, Inc.  
U.S. Link  
VarTec dba Clear Choice Communications  
VarTec Telecom, Inc.  
Verizon Long Distance  
Winstar  
Working Assets  
WorldCom  
WorldXChange

- If a North Dakota caller does not indicate a COC preference to the CA either on-line or in their customer database (or if their preferred carrier is not a COC participant), the call will be carried over the Sprint network. As with calls carried by Sprint, most COC participants limit billing methods based on the type of line from which the call originates. When the requested carrier is not a COC participant, Sprint has established a procedure where the carrier will be notified, verbally and in writing, of its obligation to provide access to TRS users and encourage their participation.
- Please see Appendix E for a sample of the Carrier of Choice letter sent to carriers when a customer has a preferred interexchange carrier that does not participate in the Sprint COC program.

## B.4 TRS Facilities

- *§64.604 (b)(4) TRS facilities. (i) TRS shall operate every day, 24 hours a day. Relay services that are not mandated by this Commission need not be provided every day, 24 hours a day, except VRS.*
- Sprint TRS and Sprint Relay Customer Service are both available 24 hours a day, every day of the year. Sprint utilizes both UPS and backup power generators to ensure that the relay centers have uninterrupted power even in the event of a power outage. UPS is used only long enough for the backup power generators to come on line – a matter of minutes. The backup power generators are supplied with sufficient fuel to maintain operations for at least 24 hours. The generators can stay in service for longer periods of time as long as fuel is available. Sprint IP/IP Wireless, VRS and *CapTel*/Relay Services are also available 24 hours a day, seven days a week.
- *§64.604 (b)(4) (ii) TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.*
- Sprint Relay Network Support Plan
- Service Reliability
- Sprint's service is provided through an all-fiber sophisticated management control network that support backbone networks with digital switching architecture. These elements are combined to provide a highly reliable, proven, and redundant network. Survivability is a mandatory objective of the Sprint network design. The Sprint network minimizes the adverse effect of service interruptions due to equipment failures or cable cuts, network overload conditions, or regional catastrophes.
- A 100 percent fiber-optic network provides critical advantages over the other carriers. These advantages include:
  - Quality
  - Since voice and data are transmitted utilizing fiber optic technology, the problems of outdated analog and even modern microwave transmission simply do not apply. Noise, electrical interference, weather-impacting conditions, and fading are virtually eliminated.
  - Economy
  - The overall quality, architecture, and advanced technology of digital fiber optics make transmission so dependable that it costs us less to maintain, thereby passing the savings on to our customers.
  - Expandability

- As demand for network capacity grows, the capacity of the existing single-mode fiber can grow. Due to the architecture and design of fiber optics, the capacity of the network can be upgraded to increase 2,000-fold.
- **Survivability**
  - Network survivability is the ability of the network to cope with random disruptions of facilities and/or demand overloads. Sprint has established an objective to provide 100 percent capability to reroute backbone traffic during any single cable cut. This is a significant benefit to **North Dakota**, and a competitive differentiation of the Sprint network.
  - Network switched services are provided via 49 Northern Telecom DMS-250/300 switches at 29 locations nationwide. Three DMS-300s located at New York, NY; Fort Worth, TX; and Stockton, CA, serve as international gateways. The remaining 46 switches provide switching functions for Sprint's domestic switched services.
  - Interconnection of the 49 switches is provided in a non-hierarchical manner. This means that inter-machine trunk (IMT) groups connect each switch with all other switches within the network. Each of these IMT groups is split and routed through the Sprint fiber network over SONET route paths for protection and survivability. As an extra precaution to preclude any call blockage, Dynamically Controlled Routing (DCR) provides an additional layer of tandem routing options when a direct IMT is temporarily busy.
  - Reliability is ensured through a corporate commitment to maintain or surpass our system objectives. Beginning with the network design, reliability and efficiency are built into the system. Sprint continues to improve the network's reliability through the addition of new technologies.
  - The effectiveness of this highly reliable and survivable network is attributed to the redundant transmission and switching hardware configurations, SONET ring topology, and sophisticated network management and control Centers. These factors combine to assure outstanding network performance and reliability for **North Dakota**.
- **Network Criteria**
  - **System Capacity**
    - The Sprint network was built with the capacity to support every interLATA and intraLATA call available in the US. With the continuing development of network fiber transmission equipment to support higher speeds and larger bandwidth, the capacity of the Sprint network to support increasing customer requirements and technologies is assured well into the future.
  - **Service Restoration**
    - Sprint provides for the restoration of service in the event of equipment malfunctions, isolated network overloads, major network disruptions and national/civil emergency situations. In the event of service disruption due to Sprint's equipment, service typically is restored within four hours after notification. Sprint does everything possible to prevent a total outage at its switch

sites or at any of its' POPs through the use of advanced site designs. All processors, memory, and switch networks within our switches are fully redundant. All switch sites are protected by uninterruptible power supplies and halon systems planned in conjunction with local fire departments. Most of our new sites are earth sheltered to increase survivability. A multi-pronged program is used to minimize outages:

Do everything possible to minimize the impact of a "single point of failure." This includes:

- Diversification of all facilities' demands between switch sites. All switch sites are connected to the long haul network over at least two separate Sprint fiber routes; many have three paths.
- Deployment of multiple switches at large switching Centers. This prevents a single switch outage from disabling the site.
- Have systems in place allowing for the rapid redeployment of network resources in case of a catastrophic outage. Fiber cuts, which can affect thousands of calls at several locations, are sometimes unavoidable. Response to these outages is maximized through the following procedures:
  - Utilization of established plans to respond effectively to these outages.
  - The capability to rapidly deploy network transmission facilities when needed.
  - Immediate execution of alternate routing in the digital switches and cross-connect systems to assist in the handling of temporary network disruptions and forced overloads.
- The entire spectrum of survivability needs, expectations, and requirements can be met by the proper engineering of customer and Sprint switches and facilities.

### **Fiber Backbone Loop Topology and Reconfiguration**

- Fiber optic cable routes are designed to include redundant capacity to insure survivable fiber optic systems. Sprint's SONET network, using four-fiber bi-directional line switched ring capability, allows automatic switching to alternate paths to provide for traffic rerouting in the event of a route failure. The SONET fiber optic backbone topology is currently designed with more than 100 overlapping rings to ensure sufficient alternate paths for total network survivability.
- Please see Appendix F for Sprint's Route Outage Prevention Programs. Also, please refer to the Disaster Recovery Plan provided in Appendix G for a complete explanation of Sprint's back-up plan.

## B.5 Technology

- *§64.604 (b)(5) Technology. No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to person with disabilities. TRS facilities are permitted to use SS7 technology or any other type of similar technology to enhance the functional equivalency and quality of TRS. TRS facilities that utilize SS7 technology shall be subject to the Calling Party Telephone Number rules set forth at 47 CFR 64.1600 et seq.*

Sprint is in full compliance with 47 CFR §64.1600 et seq. of the FCC's Rules for providing SS7 capability.

In order to achieve functional equivalence, Sprint will continue to provide Caller ID service through SS7 signaling where the 10-digit number of the calling party is passed through to the called-party for local and long-distance calls. Sprint receives calling party identifying information including blocking information, from all Relay users. Sprint's Caller ID SS7 solution includes receiving the privacy bit information from the inbound Relay caller as well as other SS7 call information elements such as:

- Calling Party Number
- Charge Number
- Originating Line Information
- Sprint passes through the calling party information (rather than 711 or the number of the Relay Center)

Sprint meets all minimum technological standards regarding Video Relay Service. Sprint VRS is available through [www.sprintVRS.com](http://www.sprintVRS.com) and [sprintrelay.tv](http://sprintrelay.tv) (for Videophone users).

On 31 July 2006, Sprint launched **MySprintVRS number**. This **MySprintVRS Number** feature empowers Deaf and hard of hearing Video Relay Service (VRS) users with a simply means of receiving incoming calls. With MySprintVRS Number, a hearing user simply dials one toll free number and quickly reaches an Interpreter who connects them to the Deaf or hard of hearing VRS user without supplying any additional information.

The value of a dedicated personal number is generally taken for granted. Without a dedicated personal number, things such as entering a contact number in a department email directory or printing one simple number on a business card are much more complicated. Today telephone numbers are also used as account identifiers or for ordering items. Sprint, unlike most other VRS providers, makes this possible.



For VRS users who have not registered for MySprintVRS, hearing callers may dial a general access toll-free number and provide the VI with the VRS user's IP Address, or their Sprint VRS Mail extension number.

- On 28 October 2006, Sprint also introduced a revolutionary means of wirelessly accessing Sprint VRS mail. Sprint, as a telecommunications provider, is uniquely positioned to make retrieval of VRS mail from wireless devices possible from devices with Windows Media Player capability. ***Sprint VRS Mail for wireless devices*** is extremely popular and empowers VRS users to access and playback VRS message directly from their handset.
- In addition to providing SprintIP Relay Services, Sprint is also proud to offer the Deaf and Hard-of-Hearing community with cutting-edge technology using Sprint IP using AIM®. Sprint IP is capable of blending the easy-to-use capabilities of Sprint IP Relay with the power of wireless devices and equipment that run AIM®. In addition to the ability to place a relay call over the internet, the wireless user can access Sprint IP on a wireless device with AIM. This service allows users to access relay from the park, a restaurant, or even the airport – anywhere a wireless device can access the internet and AIM.
- Sprint also provides *CapTel* services, which is recognized as an enhanced VCO service.
- For more information on technology provided through Sprint Relay, please refer to Appendix M: Sprint Relay Fact Sheet.

## B.6 Caller ID

- ***§64.604 (b) (6) Caller ID. When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 711, or the 10-digit number of the calling party.***
- Sprint Relay offers a network-based Caller ID for all outbound calls which traverse over Sprint's integrated Services Digital Network (ISDN) and SS7 with FGD network. This feature supports Caller ID for all local and long distance calls. In all cases in which it is received, Sprint forwards the calling party's ANI (Automatic Number ID) to the terminating LEC for long-distance calls utilizing Sprint's Feature Group D trunks (FGD). As with standard telecommunications, the terminating LEC may or may not choose to use this ANI information as Caller ID information and pass this on to the terminating number. When passed through, the relay call recipient will be able to see the caller's phone number on their caller ID display (the caller ID option feature must first be purchased through their LEC). When not passed through, as with standard telecommunications, the call recipient will receive a message such as "OUT OF AREA" or "CALLER UNKNOWN."

## Functional Standards

### C.1 Consumer Complaint Logs

***§64.604 (c)(1)(i) States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint,***

*the date of resolution, and an explanation of the resolution. (ii) Beginning July 1, 2002, states and TRS providers shall submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. Summaries of logs submitted to the Commission on July 1, 2001 shall indicate the number of complaints received from the date of OMB approval through May 31, 2001.*

- Sprint provides copies of each TRS Customer Contact form, which includes the date the complaint was filed, an explanation of the complaint, the date the complaint was resolved and explanation of the resolution and any other pertinent information to North Dakota. Further, Sprint maintains a log of each individual complaint and provides comprehensive reports on a monthly and annual basis to each of the Sprint States.
- By June 15th of each calendar year, Sprint submits a copy of 12-month complaint log report for the period of June 1- May 31 to the State relay administrators.

## C.2 Contact Persons

*§64.604 (c)(2) Contact persons. Beginning on June 30, 2000, State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission a contact person and/or office for TRS consumer information and complaints about a certified State TRS Program's provision of intrastate TRS, or, as appropriate, about the TRS provider's service. This submission must include, at a minimum, the following: (i) The name and address of the office that receives complaints, grievances, inquiries, and suggestions; (ii) Voice and TTY telephone numbers, fax number, e-mail address, and web address; and (iii) The physical address to which correspondence should be sent.*

- Roxy Ennen, Telecommunications Analyst of Information Technology Department of the State of North Dakota, is the current Administrator of the Relay North Dakota Program. Contact telephone number is 701-328-2300 or email address of [rennen@nd.gov](mailto:rennen@nd.gov).

## C.3 Public Access to Information

*§64.604 (3) Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.*



- The Information Technology Department (ITD) files financial information with the North Dakota Public Services Commission (PSC) who establishes the monthly access rate. This information is available through the PSC office or can be obtained by contacting ITD at 701.328.2300.
- Other access to information is provided through periodic bill inserts, information in telephone directories, newsletters, community outreach meetings, business workshops, public kiosk's, as well as information can be found at Relay North Dakota's Web Site: [www.relaynorthdakota.com](http://www.relaynorthdakota.com).
- See Appendix O-S for examples of Outreach Material that have been distributed to all Telephone Companies through out the State. As well as the Program Brochure and the Relay Rabbit booklets that have been distributed Statewide to area patrons, for free distribution.

#### C.4 Rates

***§64.604 (4) Rates. TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination***

- North Dakota users are charged no more for services than for those charges paid by standard "voice" telephone users. North Dakota users, who select Sprint as their interstate carrier, will be rated and invoiced by Sprint. The caller will only be billed for conversation time. Those users, who select a preferred interstate carrier via the North Dakota COC list, will be rated and invoiced by the selected interstate carrier.
- By FCC jurisdiction, Sprint has two separate Message Telephone Service rates – one for interstate and one for intrastate. The table below exhibits the discounted rates off Sprint's Message Telephone System (MTS) rates.

	Intrastate	Interstate
Day (7 AM – 6:59 PM)	35%	50%
Evening (7 PM – 10:59 PM)	25%	50%
Night/weekend (11 PM – 6:59 AM; all day Saturday & Sunday)	10%	50%

#### C.5 Jurisdictional Separation of Costs

***§64.604 (5) Jurisdictional separation of costs—(i) General. Where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set forth in the Commission's regulations adopted pursuant to section 410 of the Communications Act of 1934, as amended (ii) Cost recovery. Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted in this***

*paragraph, with respect to VRS, costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under §64.605, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate VRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism.*

- All North Dakota relay intrastate and interstate minutes are reported separately and distinctly to the state on the Sprint invoice. The interstate and international minutes are reimbursed by the TRS Interstate Fund. The local and intrastate minutes are reimbursed by the State. On individual customer invoices, Sprint deducts minutes that the National Exchange Carrier Association (NECA) would reimburse. These deductible minutes are associated with these call types: Interstate, International, Interstate Directory Assistance, Toll Free and 900. In accordance with FCC rules, States receive only a 51% deduction for Toll Free and 900 minutes since this is what NECA would reimburse. For NECA reimbursement, Sprint uses a cumulative report of eligible customers to calculate its monthly reimbursement request. An invoice and supporting documents are sent monthly to NECA for reimbursement.
- All North Dakota Relay intrastate and interstate minutes are reported separately and distinctly to the state on the Sprint invoice. The interstate and international minutes are reimbursed by the TRS Interstate Fund. The local and intrastate minutes are reimbursed by the State.
- State Legislation found in Appendix T.

## C.6 Complaints

- *§64.604 (6) (i) Referral of complaint. If a complaint to the Commission alleges a violation of this subpart with respect to intrastate TRS within a state and certification of the program of such state under §64.605 is in effect, the Commission shall refer such complaint to such state expeditiously. (ii) Intrastate complaints shall be resolved by the state within 180 days after the complaint is first filed with a state entity, regardless of whether it is filed with the state relay administrator, a state PUC, the relay provider, or with any other state entity.*
- Sprint has a comprehensive Customer Complaint Tracking program. A supervisor or Operations Administrator is available 24 hours a day to accept complaints, document and forward documentation to the proper source for resolution. Supervisors provide immediate feedback to both the customer and the CA.
- Sprint will provide copies of each TRS Customer Contact form, including the date the complaint was filed, an explanation of the complaint, the date the complaint was resolved and explanation of the resolution and any other pertinent information to North Dakota. Further, Sprint maintains a log of each individual complaint and provides comprehensive reports on a monthly and annual basis to each of the Sprint States.

- The complaint resolution procedure outlines the steps to ensure complaints are resolved within 180 days of filing. If the complaint concerns a specific CA, an Operations Supervisor follows up and resolves the complaint. The role of the supervisor is to:
  - Accept all types of complaints, issues and comments.
  - Handle all service type complaints.
  - Resolve complaints with Communication Assistants.
  - Follow up with customers if requested by the customers.
- If the complaint concerns a specific technical issue, a trouble ticket is filed and the ticket number is documented on the customer contact form. The ticket will be investigated and resolved by an on-site technician. The state-assigned Relay Program Manager is responsible for tracking all technical complaints and following-up with customers on resolutions.
- If a miscellaneous complaint is filed with customer service, a copy is faxed to the appropriate Relay Program Manager for resolution and follow-up with the customer. North Dakota customers also have the option of calling our 24-hour Customer Service department (1-800-676-3777) or the North Dakota Relay Program Manager to file complaints or commendations.
- Sprint has the capability to transfer the caller on-line to the Customer Service department. A Customer Service representative will always answer the calls live. The assigned Relay Program Manager is responsible for tracking all commendations and complaints and sending copies of Customer Contacts to the State Relay Administrator by the invoice due date of the following month. To assist customers in identifying contact information for complaints, the toll-free Customer Service number and other contact information is included on all brochures and Outreach materials, including relay web sites.
- Sprint Relay submits all Interstate Relay (Sprint IP, IP Wireless) and Video Relay Service complaints directly to the FCC from June 1-May 31<sup>st</sup> of each year by the July 1<sup>st</sup> deadline.
- In the event that the Information Technology Department fails to take action within 180 days after a complaint is filed about its TRS Program, the Information Technology Department understands that the FCC shall exercise jurisdiction over the complaint. The Information Technology Department also understands that the failure to meet the deadlines for resolving a complaint may adversely affect the continued certification of our TRS Program (See 47 C.F.R. 64.605).
- North Dakota's 2002 and 2007 Annual Consumer Complaint Log Record found in Appendix U.

## C.7 Treatment of TRS Customer Info

*(7) Treatment of TRS customer information. Beginning on July 21, 2000, all future contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user*

*with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.*

- The Sprint Customer Preference Database includes such items such as types of call, billing information, speed dialing, slow typing, carrier of choice, as well as emergency numbers, blocked outbound numbers, language type (English, Spanish, ASL) and call notes are included in the customer profile. At the end of the ensuing contract(s) Sprint will transfer all North Dakota database records to the next incoming relay provider, at least 60 days prior to the last day of service, in a usable format.

#### **§64.605 State Certification**

*(a) (1) Certified state program. Any state, through its office of the governor or other delegated executive office empowered to provide TRS, desiring to establish a state program under this section shall submit, not later than October 1, 1992, documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington, DC 20554, and captioned "TRS State Certification Application." All documentation shall be submitted in narrative form, shall clearly describe the state program for implementing intrastate TRS, and the procedures and remedies for enforcing any requirements imposed by the state program. The Commission shall give public notice of states filing for certification including notification in the Federal Register.*

The ND state telephone relay service program is designed to provide telephone accessibility to people who are deaf, hard-of-hearing or speech disabled. Relay ND is available 24 hours a day, 365 days a year, with no restrictions on the number of calls placed or on the length of the call. We monitor the federal requirements and implement all mandated functions plus many supplemental features.

The Information Technology Department certifies that it has and will continue to comply with the ADA's standard relay guidelines and will oversee its current TRS provider, Sprint, to ensure that all requirements are met.

Information Technology Department (ITD) implemented the State's TRS program, which provides specialized telecommunications services and equipment to the communications impaired in July of 1993. The program was established by contracting with Sprint to be the relay provider. ITD develops rules, policies, and procedures to govern the administration of the program. ITD imposes a surcharge to every telephone access line and radio communications line in the state. The telephone access and radio communications line providers collect the fee monthly from their users and submits the amount, less 5% for administrative expenses, to ITD each quarter. These moneys are used to pay Sprint Contract, Outreach Program and also to fund a specialized telecommunications equipment program. The Interagency Program for Assistive Technology (IPAT) with the Department of Human Services administers this program. They accept

applications from individuals who are communications impaired and determine their eligibility for receiving specialized equipment. ITD submits \$125,000 each year to Department of Human Services (IPAT) to fund this program. ITD prepares a budget each year and submits it to the Public Service Commission, who in turn establishes the surcharge for the upcoming year. The fiscal year is July through June.

North Dakota does not provide Video Relay Services or Internet Relay Services for the State of North Dakota. Although there are references to Sprint Relay IP and Sprint Relay VRS services, North Dakota does not contract to provide these services, nor does North Dakota oversee these services for the State of North Dakota.

***64.605(f) Notification of substantive change. (1) States must notify the Commission of substantive changes in their TRS programs within 60 days of when they occur, and must certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.***

Relay North Dakota had only one substantive change in the past five years. In 2006, CapTel became part of the standard contract for Relay North Dakota. Please see the notification to the FCC regarding the addition of CapTel services in Appendix X.



# PUBLIC NOTICE

Federal Communications Commission  
445 12th St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

**DA 07-2761**  
**June 22, 2007**

**CONSUMER & GOVERNMENTAL AFFAIRS BUREAU REMINDS STATES THAT  
CURRENT TELECOMMUNICATION RELAY SERVICE (TRS) CERTIFICATION  
WILL EXPIRE ON JULY 26, 2008, AND PROVIDES A TIMELINE FOR SEEKING  
RECERTIFICATION**

**CG Docket No. 03-123**

The current TRS certifications for all states and territories will expire on July 26, 2008. Under the TRS regulations, states can apply for “renewal” one year prior to expiration, *i.e.*, July 26, 2007. 47 C.F.R. § 64.605(c).

## **BACKGROUND**

TRS enables persons with hearing and speech disabilities to access the telephone system to communicate with voice telephone users. Congress created the TRS program in Title IV of the Americans with Disabilities Act of 1990 (ADA), codified at Section 225 of the Communications Act of 1934. 47 U.S.C. § 225. Under the statute, TRS services are intended to be functionally equivalent to voice telephone service. The TRS regulations set forth mandatory minimum standards that TRS providers must follow in offering service, and are intended to ensure that TRS meets the functional equivalency mandate. *See* 47 C.F.R. §64.604 (set forth in the attached Appendix).

Because the states have primary responsibility for the oversight and compensation of intrastate TRS, the regulations also set forth the process by which state TRS programs may be certified. 47 C.F.R. § 64.605; *see also* 47 U.S.C. §§ 225(c) & (d)(3)(B). The state certification process is intended to ensure that TRS is provided in a uniform manner throughout the United States and territories. The relevant sections of § 64.605 are set forth in the Appendix.

## **APPLICATIONS FOR CERTIFICATION:**

Applications for certification (or renewal of certification) may be filed with the Commission beginning July 26, 2007. All certified state TRS programs are required to provide traditional (TTY-based) TRS, interstate Spanish language traditional TRS, and Speech-to-Speech (STS) service. If a state program also offers Internet Protocol (IP) Relay, Video Relay Service (VRS), Captioned Telephone Service, or IP Captioned Telephone Service, the state must also demonstrate that it provides these services consistent with the rules.



Although there is no deadline for filing, renewal applications should be filed by October 1, 2007, to give the Commission time to review and rule on the applications prior to the expiration of the prior certification.

Applications for certification are reviewed to determine whether the state TRS program has sufficiently documented that it meets all of the applicable mandatory minimum standards set forth in Section 64.604. If the program exceeds the mandatory minimum standards, the state must certify that the program does not conflict with federal law.

**PROCEDURES FOR FILING: All filings must reference CG Docket No. 03-123.**

**Electronic Filers:** Filings may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions provided on the website for submitting electronic filings.

- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the filing for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic filing by Internet email. To get filing instructions, filers should send an email to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the subject line or body of the message: get form <your email address>. A sample form and directions will be sent in response.

**Paper Filers:** Parties who choose to submit by paper must submit an original and four copies of each filing on or before October 1, 2007. To expedite the processing of complaint log summaries, states and interstate TRS providers are encouraged to submit an additional copy to Attn: Diane Mason, Federal Communications Commission, Consumer & Governmental Affairs Bureau, 445 12<sup>th</sup> Street, SW, Room 3-A503, Washington, D.C. 20554 or by email at [Diane.Mason@fcc.gov](mailto:Diane.Mason@fcc.gov). Parties should also submit electronic disk copies of their certification filing on a standard 3.5 inch diskette or CD-Rom formatted in an IBM compatible format using Word 2003 or compatible software. The electronic media should be submitted in “read-only” mode and must be clearly labeled with the state’s name, the filing date and captioned “TRS Certification Application.”

Filings can be sent by hand or messenger delivery, by electronic media, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor will receive hand-delivered or messenger-delivered paper filings or electronic media for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial and electronic media sent by overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12<sup>th</sup> Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, SW, Room TW-B204, Washington, D.C. 20554.



## SUMMARY OF STATE TRS PROGRAM CERTIFICATION TIMELINE:

DATE	ITEM	FCC ACTION
October, 2007	Public Notices are issued indicating that applications have been received by the Commission and seeking comment	<b>Public Notices</b> are released seeking comment on the filing. Comments due within 30 days and then an additional 15 days for reply comments.
September 2007 – May 2008	Applications for TRS recertification are reviewed for compliance with 47 C.F.R. §§ 64.604 & 64.605.	<b>Deficiency letters</b> are sent to request additional information that demonstrates compliance with the mandatory minimum requirements.
May - July, 2008	Public Notices informing states that their applications for recertification have been reviewed and certification has been renewed.	<b>Public Notice</b>

## ADDITIONAL INFORMATION

A copy of this *Public Notice* and related documents are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Suite CY-A257, Washington, D.C. 20554, (202) 418-0270. These documents also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, D.C. 20554. Customers may contact BCPI at their web site: [www.bcpweb.com](http://www.bcpweb.com) or by calling 1-800-378-3160. Filings also may be found by searching on the Commission's Electronic Comment Filing System (ECFS) at <http://www.fcc.gov/cgb/ecfs> (insert CG Docket No. 03-123 into the Proceeding block).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This *Public Notice* also can be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro>.

For further information regarding this *Public Notice*, please contact Diane Mason, Consumer & Governmental Affairs Bureau, Disability Rights Office, at (202) 418-7126 (voice), (202) 418-7828 (TTY), or e-mail at [Diane.Mason@fcc.gov](mailto:Diane.Mason@fcc.gov).

## APPENDIX

### RELEVANT RULES:

#### §64.604 MANDATORY MINIMUM STANDARDS<sup>1</sup>

The standards in this section are applicable December 18, 2000, except as stated in paragraphs (c)(2) and (c)(7) of this section.

(a) *Operational standards*—(1) *Communications assistant (CA)*. (i) TRS providers are responsible for requiring that all CAs be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities.

(ii) CAs must have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications.

(iii) CAs must provide a typing speed of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must give oral-to-type tests of CA speed.

(iv) TRS providers are responsible for requiring that VRS CAs are qualified interpreters. A “qualified interpreter” is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

(v) CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of ten minutes. CAs answering and placing an STS call must stay with the call for a minimum of fifteen minutes.

(vi) TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if a transfer occurs, at the time the call is transferred to another CA.

(vii) TRS shall transmit conversations between TTY and voice callers in real time.

(2) *Confidentiality and conversation content*. (i) Except as authorized by section 705 of the Communications Act, 47 U.S.C. 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content, and with a limited exception for STS CAs, from keeping records of the content of any conversation beyond the duration of a call, even if to do so would be inconsistent with state or local law. STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls, at the request of the user. The caller may request the STS CA to retain such information, or the CA may ask the caller if he wants the CA to repeat the same information during subsequent calls. The CA may retain the information only for as long as it takes to complete the subsequent calls.

(ii) CAs are prohibited from intentionally altering a relayed conversation and, to the extent that it is not inconsistent with federal, state or local law regarding use of telephone company facilities for illegal purposes, must relay all conversation verbatim unless the relay user specifically requests summarization, or if the user requests interpretation of an ASL call. An STS CA may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the user does not object. Appropriate measures must be taken by relay providers to ensure that confidentiality of VRS users is maintained.

(3) *Types of calls*. (i) Consistent with the obligations of telecommunications carrier operators, CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services.

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<sup>1</sup> Note that some of these requirements have been waived for certain forms of TRS.

(ii) Relay services shall be capable of handling any type of call normally provided by telecommunications carriers unless the Commission determines that it is not technologically feasible to do so. Relay service providers have the burden of proving the infeasibility of handling any type of call.

(iii) Relay service providers are permitted to decline to complete a call because credit authorization is denied.

(iv) Relay services shall be capable of handling pay-per-call calls.

(v) TRS providers are required to provide the following types of TRS calls: (1) Text-to-voice and voice-to-text; (2) VCO, two-line VCO, VCO-to-TTY, and VCO-to-VCO; (3) HCO, two-line HCO, HCO-to-TTY, HCO-to-HCO.

(vi) TRS providers are required to provide the following features: (1) Call release functionality; (2) speed dialing functionality; and (3) three-way calling functionality.

(vii) Voice mail and interactive menus. CAs must alert the TRS user to the presence of a recorded message and interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's TTY indicating that a recording or interactive menu has been encountered. Relay providers shall electronically capture recorded messages and retain them for the length of the call. Relay providers may not impose any charges for additional calls, which must be made by the relay user in order to complete calls involving recorded or interactive messages.

(viii) TRS providers shall provide, as TRS features, answering machine and voice mail retrieval.

(4) *Handling of emergency calls.* Providers must use a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to an appropriate Public Safety Answering Point (PSAP). An appropriate PSAP is either a PSAP that the caller would have reached if he had dialed 911 directly, or a PSAP that is capable of enabling the dispatch of emergency services to the caller in an expeditious manner.

(5) *STS called numbers.* Relay providers must offer STS users the option to maintain at the relay center a list of names and telephone numbers which the STS user calls. When the STS user requests one of these names, the CA must repeat the name and state the telephone number to the STS user. This information must be transferred to any new STS provider.

(b) *Technical standards*—(1) *ASCII and Baudot.* TRS shall be capable of communicating with ASCII and Baudot format, at any speed generally in use.

(2) *Speed of answer.* (i) TRS providers shall ensure adequate TRS facility staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.

(ii) TRS facilities shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold. The ten seconds begins at the time the call is delivered to the TRS facility's network. A TRS facility shall ensure that adequate network facilities shall be used in conjunction with TRS so that under projected calling volume the probability of a busy response due to loop trunk congestion shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.

(A) The call is considered delivered when the TRS facility's equipment accepts the call from the local exchange carrier (LEC) and the public switched network actually delivers the call to the TRS facility.

(B) Abandoned calls shall be included in the speed-of-answer calculation.

(C) A TRS provider's compliance with this rule shall be measured on a daily basis.

(D) The system shall be designed to a P.01 standard.

(E) A LEC shall provide the call attempt rates and the rates of calls blocked between the LEC and the TRS facility to relay administrators and TRS providers upon request.

(iii) Speed of answer requirements for VRS providers are phased-in as follows: by January 1, 2006, VRS providers must answer 80% of all calls within 180 seconds, measured on a monthly basis; by July 1, 2006, VRS providers must answer 80% of all calls within 150 seconds, measured on a monthly basis; and by January 1, 2007, VRS providers must answer 80% of all calls within 120 seconds, measured on a monthly basis. Abandoned calls shall be included in the VRS speed of answer calculation.

(3) *Equal access to interexchange carriers.* TRS users shall have access to their chosen interexchange carrier through the TRS, and to all other operator services, to the same extent that such access is provided to voice users.

(4) *TRS facilities.* (i) TRS shall operate every day, 24 hours a day. Relay services that are not mandated by this Commission need not be provided every day, 24 hours a day, except VRS.

(ii) TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.

(5) *Technology.* No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to person with disabilities. TRS facilities are permitted to use SS7 technology or any other type of similar technology to enhance the functional equivalency and quality of TRS. TRS facilities that utilize SS7 technology shall be subject to the Calling Party Telephone Number rules set forth at 47 CFR 64.1600 *et seq.*

(6) *Caller ID.* When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 711, or the 10-digit number of the calling party.

(c) *Functional standards—(1) Consumer complaint logs.* (i) States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.

(ii) Beginning July 1, 2002, states and TRS providers shall submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. Summaries of logs submitted to the Commission on July 1, 2001 shall indicate the number of complaints received from the date of OMB approval through May 31, 2001.

(2) *Contact persons.* Beginning on June 30, 2000, State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission a contact person and/or office for TRS consumer information and complaints about a certified State TRS Program's provision of intrastate TRS, or, as appropriate, about the TRS provider's service. This submission must include, at a minimum, the following:

(i) The name and address of the office that receives complaints, grievances, inquiries, and suggestions;

(ii) Voice and TTY telephone numbers, fax number, e-mail address, and web address; and

(iii) The physical address to which correspondence should be sent.

(3) *Public access to information.* Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should

extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.

(4) *Rates.* TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination.

(5) *Jurisdictional separation of costs*—(i) *General.* Where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set forth in the Commission's regulations adopted pursuant to section 410 of the Communications Act of 1934, as amended.

(ii) *Cost recovery.* Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted in this paragraph, with respect to VRS, costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under §64.605, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate VRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism.

(iii) *Telecommunications Relay Services Fund.* Effective July 26, 1993, an Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity selected by the Commission (administrator). The initial administrator, for an interim period, will be the National Exchange Carrier Association, Inc.

(A) *Contributions.* Every carrier providing interstate telecommunications services shall contribute to the TRS Fund on the basis of interstate end-user telecommunications revenues as described herein. Contributions shall be made by all carriers who provide interstate services, including, but not limited to, cellular telephone and paging, mobile radio, operator services, personal communications service (PCS), access (including subscriber line charges), alternative access and special access, packet-switched, WATS, 800, 900, message telephone service (MTS), private line, telex, telegraph, video, satellite, intraLATA, international and resale services.

(B) *Contribution computations.* Contributors' contribution to the TRS fund shall be the product of their subject revenues for the prior calendar year and a contribution factor determined annually by the Commission. The contribution factor shall be based on the ratio between expected TRS Fund expenses to interstate end-user telecommunications revenues. In the event that contributions exceed TRS payments and administrative costs, the contribution factor for the following year will be adjusted by an appropriate amount, taking into consideration projected cost and usage changes. In the event that contributions are inadequate, the fund administrator may request authority from the Commission to borrow funds commercially, with such debt secured by future years' contributions. Each subject carrier must contribute at least \$25 per year. Carriers whose annual contributions total less than \$1,200 must pay the entire contribution at the beginning of the contribution period. Service providers whose contributions total \$1,200 or more may divide their contributions into equal monthly payments. Carriers shall complete and submit, and contributions shall be based on, a "Telecommunications Reporting Worksheet" (as published by the Commission in the Federal Register). The worksheet shall be certified to by an officer of the contributor, and subject to verification by the Commission or the administrator at the discretion of the Commission. Contributors' statements in the worksheet shall be subject to the provisions of section 220 of the Communications Act of 1934, as amended. The fund administrator may bill contributors a separate assessment for reasonable administrative expenses and interest resulting from improper filing or overdue contributions. The Chief of the Consumer & Governmental Affairs Bureau may waive, reduce, modify or eliminate contributor reporting requirements that prove unnecessary and require additional reporting requirements that the Bureau deems necessary to the sound and efficient administration of the TRS Fund.

(C) *Data collection from TRS Providers.* TRS providers shall provide the administrator with true and adequate data necessary to determine TRS fund revenue requirements and payments. TRS providers shall provide the administrator with the following: total TRS minutes of use, total interstate TRS minutes of use, total TRS operating expenses and total TRS investment in general accordance with part 32 of the Communications Act, and other historical or projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements. The administrator and the Commission shall have the authority to examine, verify and audit data received from TRS providers as necessary to assure the accuracy and integrity of fund payments.

(D) [Reserved]

(E) *Payments to TRS providers.* TRS Fund payments shall be distributed to TRS providers based on formulas approved or modified by the Commission. The administrator shall file schedules of payment formulas with the Commission. Such formulas shall be designed to compensate TRS providers for reasonable costs of providing interstate TRS, and shall be subject to Commission approval. Such formulas shall be based on total monthly interstate TRS minutes of use. TRS minutes of use for purposes of interstate cost recovery under the TRS Fund are defined as the minutes of use for completed interstate TRS calls placed through the TRS center beginning after call set-up and concluding after the last message call unit. In addition to the data required under paragraph (c)(5)(iii)(C) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments. The administrator shall establish procedures to verify payment claims, and may suspend or delay payments to a TRS provider if the TRS provider fails to provide adequate verification of payment upon reasonable request, or if directed by the Commission to do so. The TRS Fund administrator shall make payments only to eligible TRS providers operating pursuant to the mandatory minimum standards as required in §64.604, and after disbursements to the administrator for reasonable expenses incurred by it in connection with TRS Fund administration. TRS providers receiving payments shall file a form prescribed by the administrator. The administrator shall fashion a form that is consistent with parts 32 and 36 procedures reasonably tailored to meet the needs of TRS providers. The Commission shall have authority to audit providers and have access to all data, including carrier specific data, collected by the fund administrator. The fund administrator shall have authority to audit TRS providers reporting data to the administrator. The formulas should appropriately compensate interstate providers for the provision of VRS, whether intrastate or interstate.

(F) TRS providers eligible for receiving payments from the TRS Fund are:

(1) TRS facilities operated under contract with and/or by certified state TRS programs pursuant to §64.605; or

(2) TRS facilities owned by or operated under contract with a common carrier providing interstate services operated pursuant to §64.604; or

(3) Interstate common carriers offering TRS pursuant to §64.604; or

(4) Video Relay Service (VRS) and Internet Protocol (IP) Relay providers certified by the Commission pursuant to §64.605.

(G) Any eligible TRS provider as defined in paragraph (c)(5)(iii)(F) of this section shall notify the administrator of its intent to participate in the TRS Fund thirty (30) days prior to submitting reports of TRS interstate minutes of use in order to receive payment settlements for interstate TRS, and failure to file may exclude the TRS provider from eligibility for the year.

(H) Administrator reporting, monitoring, and filing requirements. The administrator shall perform all filing and reporting functions required in paragraphs (c)(5)(iii)(A) through (c)(5)(iii)(J) of this section. TRS payment formulas and revenue requirements shall be filed with the Commission on May 1 of each year, to be effective the following July 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with



the administration of the TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM) and shall provide the Commission full access to all data collected pursuant to the administration of the TRS Fund. The administrator shall account for the financial transactions of the TRS Fund in accordance with generally accepted accounting principles for federal agencies and maintain the accounts of the TRS Fund in accordance with the United States Government Standard General Ledger. When the administrator, or any independent auditor hired by the administrator, conducts audits of providers of services under the TRS program or contributors to the TRS Fund, such audits shall be conducted in accordance with generally accepted government auditing standards. In administering the TRS Fund, the administrator shall also comply with all relevant and applicable federal financial management and reporting statutes. The administrator shall establish a non-paid voluntary advisory committee of persons from the hearing and speech disability community, TRS users (voice and text telephone), interstate service providers, state representatives, and TRS providers, which will meet at reasonable intervals (at least semi-annually) in order to monitor TRS cost recovery matters. Each group shall select its own representative to the committee. The administrator's annual report shall include a discussion of the advisory committee deliberations.

(I) *Information filed with the administrator.* The administrator shall keep all data obtained from contributors and TRS providers confidential and shall not disclose such data in company-specific form unless directed to do so by the Commission. Subject to any restrictions imposed by the Chief of the Consumer & Governmental Affairs Bureau, the TRS Fund administrator may share data obtained from carriers with the administrators of the universal support mechanisms (*See* 47 CFR 54.701 of this chapter), the North American Numbering Plan administration cost recovery (*See* 47 CFR 52.16 of this chapter), and the long-term local number portability cost recovery (*See* 47 CFR 52.32 of this chapter). The TRS Fund administrator shall keep confidential all data obtained from other administrators. The administrator shall not use such data except for purposes of administering the TRS Fund, calculating the regulatory fees of interstate common carriers, and aggregating such fee payments for submission to the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers. Contributors may make requests for Commission nondisclosure of company-specific revenue information under §0.459 of this chapter by so indicating on the Telecommunications Reporting Worksheet at the time that the subject data are submitted. The Commission shall make all decisions regarding nondisclosure of company-specific information.

(J) The administrator's performance and this plan shall be reviewed by the Commission after two years.

(K) All parties providing services or contributions or receiving payments under this section are subject to the enforcement provisions specified in the Communications Act, the Americans with Disabilities Act, and the Commission's rules.

(6) *Complaints*—(i) *Referral of complaint.* If a complaint to the Commission alleges a violation of this subpart with respect to intrastate TRS within a state and certification of the program of such state under §64.605 is in effect, the Commission shall refer such complaint to such state expeditiously.

(ii) Intrastate complaints shall be resolved by the state within 180 days after the complaint is first filed with a state entity, regardless of whether it is filed with the state relay administrator, a state PUC, the relay provider, or with any other state entity.

(iii) *Jurisdiction of Commission.* After referring a complaint to a state entity under paragraph (c)(6)(i) of this section, or if a complaint is filed directly with a state entity, the Commission shall exercise jurisdiction over such complaint only if:

(A) Final action under such state program has not been taken within:

(1) 180 days after the complaint is filed with such state entity; or

(2) A shorter period as prescribed by the regulations of such state; or



(B) The Commission determines that such state program is no longer qualified for certification under §64.605.

(iv) The Commission shall resolve within 180 days after the complaint is filed with the Commission any interstate TRS complaint alleging a violation of section 225 of the Act or any complaint involving intrastate relay services in states without a certified program. The Commission shall resolve intrastate complaints over which it exercises jurisdiction under paragraph (c)(6)(iii) of this section within 180 days.

(v) *Complaint procedures.* Complaints against TRS providers for alleged violations of this subpart may be either informal or formal.

(A) *Informal complaints—(1) Form.* An informal complaint may be transmitted to the Consumer & Governmental Affairs Bureau by any reasonable means, such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate a complainant's hearing or speech disability.

(2) *Content.* An informal complaint shall include the name and address of the complainant; the name and address of the TRS provider against whom the complaint is made; a statement of facts supporting the complainant's allegation that the TRS provided it has violated or is violating section 225 of the Act and/or requirements under the Commission's rules; the specific relief or satisfaction sought by the complainant; and the complainant's preferred format or method of response to the complaint by the Commission and the defendant TRS provider (such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate the complainant's hearing or speech disability).

(3) *Service; designation of agents.* The Commission shall promptly forward any complaint meeting the requirements of this subsection to the TRS provider named in the complaint. Such TRS provider shall be called upon to satisfy or answer the complaint within the time specified by the Commission. Every TRS provider shall file with the Commission a statement designating an agent or agents whose principal responsibility will be to receive all complaints, inquiries, orders, decisions, and notices and other pronouncements forwarded by the Commission. Such designation shall include a name or department designation, business address, telephone number (voice and TTY), facsimile number and, if available, internet e-mail address.

(B) *Review and disposition of informal complaints.* (1) Where it appears from the TRS provider's answer, or from other communications with the parties, that an informal complaint has been satisfied, the Commission may, in its discretion, consider the matter closed without response to the complainant or defendant. In all other cases, the Commission shall inform the parties of its review and disposition of a complaint filed under this subpart. Where practicable, this information shall be transmitted to the complainant and defendant in the manner requested by the complainant (e.g., letter, facsimile transmission, telephone (voice/TRS/TTY) or Internet e-mail).

(2) A complainant unsatisfied with the defendant's response to the informal complaint and the staff's decision to terminate action on the informal complaint may file a formal complaint with the Commission pursuant to paragraph (c)(6)(v)(C) of this section.

(C) *Formal complaints.* A formal complaint shall be in writing, addressed to the Federal Communications Commission, Enforcement Bureau, Telecommunications Consumer Division, Washington, DC 20554 and shall contain:

(1) The name and address of the complainant,

(2) The name and address of the defendant against whom the complaint is made,

(3) A complete statement of the facts, including supporting data, where available, showing that such defendant did or omitted to do anything in contravention of this subpart, and

(4) The relief sought.

(D) *Amended complaints.* An amended complaint setting forth transactions, occurrences or events which have happened since the filing of the original complaint and which relate to the original cause of action may be filed with the Commission.

(E) *Number of copies.* An original and two copies of all pleadings shall be filed.

(F) *Service.* (1) Except where a complaint is referred to a state pursuant to §64.604(c)(6)(i), or where a complaint is filed directly with a state entity, the Commission will serve on the named party a copy of any complaint or amended complaint filed with it, together with a notice of the filing of the complaint. Such notice shall call upon the defendant to satisfy or answer the complaint in writing within the time specified in said notice of complaint.

(2) All subsequent pleadings and briefs shall be served by the filing party on all other parties to the proceeding in accordance with the requirements of §1.47 of this chapter. Proof of such service shall also be made in accordance with the requirements of said section.

(G) *Answers to complaints and amended complaints.* Any party upon whom a copy of a complaint or amended complaint is served under this subpart shall serve an answer within the time specified by the Commission in its notice of complaint. The answer shall advise the parties and the Commission fully and completely of the nature of the defense and shall respond specifically to all material allegations of the complaint. In cases involving allegations of harm, the answer shall indicate what action has been taken or is proposed to be taken to stop the occurrence of such harm. Collateral or immaterial issues shall be avoided in answers and every effort should be made to narrow the issues. Matters alleged as affirmative defenses shall be separately stated and numbered. Any defendant failing to file and serve an answer within the time and in the manner prescribed may be deemed in default.

(H) *Replies to answers or amended answers.* Within 10 days after service of an answer or an amended answer, a complainant may file and serve a reply which shall be responsive to matters contained in such answer or amended answer and shall not contain new matter. Failure to reply will not be deemed an admission of any allegation contained in such answer or amended answer.

(I) *Defective pleadings.* Any pleading filed in a complaint proceeding that is not in substantial conformity with the requirements of the applicable rules in this subpart may be dismissed.

(7) *Treatment of TRS customer information.* Beginning on July 21, 2000, all future contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.

[65 FR 38436, June 21, 2000, as amended at 65 FR 54804, Sept. 11, 2000; 67 FR 13229, Mar. 21, 2002; 68 FR 50977, Aug. 25, 2003; 69 FR 5719, Feb. 6, 2004; 69 FR 53351, Sept. 1, 2004; 69 FR 55985, Sept. 17, 2004; 69 FR 57231, Sept. 24, 2004; 70 FR 51658, Aug. 31, 2005; 70 FR 76215, Dec. 23, 2005]

## **§64.605 STATE CERTIFICATION.**

(a) *State documentation—(1) Certified state program.* Any state, through its office of the governor or other delegated executive office empowered to provide TRS, desiring to establish a state program under this section shall submit, not later than October 1, 1992, documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington, DC 20554, and captioned “TRS State Certification Application.” All documentation shall be submitted in narrative form, shall clearly describe the state program for implementing intrastate TRS, and the procedures and remedies for enforcing any requirements imposed by

the state program. The Commission shall give public notice of states filing for certification including notification in the Federal Register.

(2) *VRS and IP Relay provider.* Any entity desiring to provide VRS or IP Relay services, independent from any certified state TRS program or any TRS provider otherwise eligible for compensation from the Interstate TRS Fund, and to receive compensation from the Interstate TRS Fund, shall submit documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington, DC 20554, and captioned “VRS and IP Relay Certification Application.” The documentation shall include, in narrative form:

- (i) A description of the forms of TRS to be provided (*i.e.*, VRS and/or IP Relay);
- (ii) A description of how the provider will meet all non-waived mandatory minimum standards applicable to each form of TRS offered;
- (iii) A description of the provider's procedures for ensuring compliance with all applicable TRS rules;
- (iv) A description of the provider's complaint procedures;
- (v) A narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards;
- (vi) A narrative establishing that services that differ from the mandatory minimum standards do not violate applicable mandatory minimum standards;
- (vii) Demonstration of status as a common carrier; and
- (viii) A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.

(b) (1) *Requirements for state certification.* After review of state documentation, the Commission shall certify, by letter, or order, the state program if the Commission determines that the state certification documentation:

- (i) Establishes that the state program meets or exceeds all operational, technical, and functional minimum standards contained in §64.604;
- (ii) Establishes that the state program makes available adequate procedures and remedies for enforcing the requirements of the state program, including that it makes available to TRS users informational materials on state and Commission complaint procedures sufficient for users to know the proper procedures for filing complaints; and
- (iii) Where a state program exceeds the mandatory minimum standards contained in §64.604, the state establishes that its program in no way conflicts with federal law.

(2) *Requirements for VRS and IP Relay Provider FCC Certification.* After review of certification documentation, the Commission shall certify, by Public Notice, that the VRS or IP Relay provider is eligible for compensation from the Interstate TRS Fund if the Commission determines that the certification documentation:

- (i) Establishes that the provision of VRS and/or IP Relay will meet or exceed all non-waived operational, technical, and functional minimum standards contained in §64.604;
- (ii) Establishes that the VRS and/or IP Relay provider makes available adequate procedures and remedies for ensuring compliance with the requirements of this section and the mandatory minimum standards contained in §64.604, including that it makes available for TRS users informational materials on complaint procedures sufficient for users to know the proper procedures for filing complaints; and

(iii) Where the TRS service differs from the mandatory minimum standards contained in §64.604, the VRS and/or IP Relay provider establishes that its service does not violate applicable mandatory minimum standards.

(c)(1) *State certification period.* State certification shall remain in effect for five years. One year prior to expiration of certification, a state may apply for renewal of its certification by filing documentation as prescribed by paragraphs (a) and (b) of this section.

(2) *VRS and IP Relay Provider FCC certification period.* Certification granted under this section shall remain in effect for five years. A VRS or IP Relay provider may apply for renewal of its certification by filing documentation with the Commission, at least 90 days prior to expiration of certification, containing the information described in paragraph (a)(2) of this section.

(d) *Method of funding.* Except as provided in §64.604, the Commission shall not refuse to certify a state program based solely on the method such state will implement for funding intrastate TRS, but funding mechanisms, if labeled, shall be labeled in a manner that promote national understanding of TRS and do not offend the public.

(e)(1) *Suspension or revocation of state certification.* The Commission may suspend or revoke such certification if, after notice and opportunity for hearing, the Commission determines that such certification is no longer warranted. In a state whose program has been suspended or revoked, the Commission shall take such steps as may be necessary, consistent with this subpart, to ensure continuity of TRS. The Commission may, on its own motion, require a certified state program to submit documentation demonstrating ongoing compliance with the Commission's minimum standards if, for example, the Commission receives evidence that a state program may not be in compliance with the minimum standards.

(2) *Suspension or revocation of VRS and IP Relay Provider FCC certification.* The Commission may suspend or revoke the certification of a VRS or IP Relay provider if, after notice and opportunity for hearing, the Commission determines that such certification is no longer warranted. The Commission may, on its own motion, require a certified VRS or IP Relay provider to submit documentation demonstrating ongoing compliance with the Commission's minimum standards if, for example, the Commission receives evidence that a certified VRS or IP Relay provider may not be in compliance with the minimum standards.

(f) *Notification of substantive change.* (1) States must notify the Commission of substantive changes in their TRS programs within 60 days of when they occur, and must certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.

(2) VRS and IP Relay providers certified under this section must notify the Commission of substantive changes in their TRS programs, services, and features within 60 days of when such changes occur, and must certify that the interstate TRS provider continues to meet federal minimum standards after implementing the substantive change.

(g) VRS and IP Relay providers certified under this section shall file with the Commission, on an annual basis, a report providing evidence that they are in compliance with §64.604.

[70 FR 76215, Dec. 23, 2005]

## Appendix B: Sprint TRS, STS, CapTel, and VRS Training Outlines

### Sprint TRS Training Outline

Module	Module Description
Module 1	Orientation  <b>Objectives</b> <b>Welcome &amp; History</b> <b>Future of Sprint</b> <b>What is Relay?</b> <b>CA Training</b> <b>Call Flow Chart</b>
Module 2	Phone Image  <b>Objectives</b> <b>Introduction</b> <b>Communicating Information</b> <b>Using Conversational Tone</b> <b>Managing Dissatisfied Customers</b>
Module 3A	Overview of System and Equipment <b>Objectives</b> <b>Logging In</b> <b>Logging Out</b> <b>Screen Display</b> <b>Checking for Understanding</b> <b>Headsets</b> <b>Modem</b> <b>Error Correction</b> <b>Keyboard</b> <b>Last Typed Macro Feature</b> <b>English Macros</b> <b>Spanish Macros</b> <b>Telephony Terms</b>
Module 3B	Interactive Terminals <b>Knowing Your TTY</b> <b>Closing a Conversation</b> <b>Typing Background Noises</b>
Module 3C	Overview of System and Equipment (FRS Only) <b>Malfunctions</b> <b>Relay Procedures</b> <b>Confidentiality</b> <b>Statistics</b> <b>Handling Obscene Calls</b> <b>Requesting a Supervisor</b> <b>Reporting</b> <b>Macros</b>
Module 4A	Call Processing Procedures <b>Objectives</b> <b>Your Role as CA</b> <b>Call Processing for All States</b>

Module	Module Description
Module 4B	Destinations of Traffic <b>Destinations not Allowed</b> <b>IntraLata Competition</b> <b>State Differences</b>
Module 4C	Answering Machines and Audiotext <b>Record Feature</b> <b>Voice Answering Machine</b> <b>Voice to TTY Answering Machine</b> <b>Information Line</b> <b>Audiotext</b> <b>Voice Mail</b> <b>Pagers/Beepers (TTY-Voice)</b> <b>Pagers/Beepers (Voice - TTY)</b> <b>Variations</b> <b>Answering Machine Retrieval</b>
Module 4D	Voice Originated Calls <b>Local Call Description</b> <b>Toll Free and Paid</b> <b>Paid over Sprint Network</b> <b>Paid over Alternate Carrier</b> <b>Variations</b>
Module 4E	Long Distance Calling <b>FONcard</b> <b>LEC Card</b> <b>Optional Cards</b> <b>Pre-Paid Cards</b> <b>Collect</b> <b>Third Party</b> <b>Immediate Credit</b>
Module 4F	VCO and HCO <b>Voice Carry Over (VCO)</b> <b>Inbound VCO Branding</b> <b>Busy Line</b> <b>No Answer</b> <b>Two-Line VCO</b> <b>Hearing Carry Over (HCO)</b> <b>Non-Branded HCO</b> <b>Branded HCO</b>

Module	Module Description
Module 4G	Alternate Call Types  <b>VCO to VCO</b> <b>VCO to TTY</b> <b>TTY to VCO</b> <b>HCO to HCO</b> <b>HCO to TTY</b> <b>TTY to HCO</b>
Module 4H	Customer Database <b>Customer Database Feature</b> <b>Customer Notes Window</b> <b>UCR Main Menu</b> <b>Name Submenu</b> <b>COC Submenu</b> <b>InterLata COC</b> <b>IntraLata COC</b> <b>Billing Method Window</b> <b>Billing Options</b> <b>Numbers Submenu</b> <b>Emergency Numbers</b> <b>Frequently Dialed Numbers (FD)</b> <b>Blocked Numbers</b> <b>Customer Notes</b>
Module 4H	Customer Database  <b>Preferences</b> <b>Answer Type</b> <b>Language Type</b> <b>Outdial Restrictions</b> <b>Macros</b> <b>Last Number Redial</b>



Module	Module Description
Module 4I	<p>Variations</p> <p> <b>Busy Signals</b>  <b>Poor Connection</b>  <b>No Answer</b>  <b>Request for Information</b>  <b>Speech Impaired</b>  <b>Pacing Voice Customer</b>  <b>Profanity towards CA</b>  <b>Request for M or F CA</b>  <b>CA Knows Customer</b>  <b>Suicide</b>  <b>Abuse</b>  <b>Illegal Calls</b>  <b>Sensitive Topics</b>  <b>Redialing</b>  <b>Switchboards</b>  <b>Young Children</b>  <b>Inbound ASCII</b>  <b>Repeating Information</b>  <b>Request for Relay Number</b>  <b>Restricted Calls</b>  <b>ASCII on Outbound Line</b>  <b>Regional 800</b>  <b>Two Calling From Numbers</b>  <b>LEC Service Office</b>  <b>Double Letters</b>  <b>Call Waiting</b>  <b>Conference Calls</b>  <b>Three-Way Calling</b>  <b>Changing CAs</b>  <b>800 Number Referral</b>  <b>Hard-of-Hearing Customer</b>  <b>Call Backs for TTYs</b>  <b>Multiple Calls</b> </p>
Module 4I	<p>Variations</p> <p> <b>Call Modification</b>  <b>Holding</b>  <b>Alternate Language</b>  <b>Typing in Parenthesis</b>  <b>Product Information</b>  <b>Spanish Calls</b>  <b>Voice Customer Hangs Up</b>  <b>Variable Time Stamp</b>  <b>TTY Customer Hangs Up</b>  <b>Conversation being Recorded</b>  <b>Prompting Voice for "GA"</b>  <b>Non-Standard TTY Capability</b>  <b>Internet Characters</b>  <b>TTY does not type "GA"</b>  <b>Cellular Long Distance Calls</b>  <b>Party Line Calls</b> </p>

Module	Module Description
Module 5	Emergency Call Processing <b>Emergency Calls</b> <b>Non-Emergency Calls</b> <b>Emergency Incident Form</b>
Module 6A	Performance and Procedures <b>Performance Measurement Plan</b> <b>Quality Customer Service</b> <b>Commitment</b> <b>Personal Effectiveness</b> <b>Assessment Survey and Replay</b> <b>Emergency Procedures</b> <b>Emergency Assistance Form</b> <b>Checking for Understanding</b>
Module 6B	Healthy Relay <b>Introduction</b> <b>Analogy</b> <b>Stretching Exercises</b> <b>CA Reinforcement</b> <b>Ergonomic Review</b> <b>Setting up Workstation</b> <b>GUAM - Get up and move</b>
Module 6B	Healthy Relay <b>Ergonomic Relief</b> <b>Slowing the Customer</b> <b>Overtime Relaxation</b>
Module 7A	Responding Positively <b>Stress Management</b> <b>Thoughts and Feelings</b> <b>Relaxing Emotionally</b> <b>Thinking Powerfully</b> <b>Exercise</b> <b>Nutrition</b> <b>Relaxation/Meditation</b> <b>Energy Resource Assessment</b> <b>Suggested Reading</b> <b>Leader's Notes</b>
Module 7B	Healthy Detachment <b>Interactive Communication</b> <b>TDD Communication</b> <b>Potential Stressors</b> <b>Detaching</b>
Module 8	Assessing Performance <b>Assessment Process</b> <b>Coaching</b> <b>Feedback</b> <b>Pass/Fail Guidelines</b> <b>Role Plays</b>

Module	Module Description
Module 9	Supervisor as Trainer and Coach <b>Introduction</b> <b>Objectives</b> <b>Being a Coach/Trainer</b> <b>An Adult Learner</b> <b>Giving Effective Instruction</b> <b>Feedback</b>
Module 10	A Healthy Approach to Relay <b>Learning Continuum</b> <b>Adult Education</b> <b>Dale's Cone of Experience</b> <b>Elements of Lesson Design</b> <b>Preparation for Training</b> <b>Warm Ups</b> <b>Voice Inflection</b> <b>Handling Interruptions</b> <b>Prep for Final</b> <b>Hearing Thru (TDD - Voice)</b> <b>Hearing Thru (Voice - TDD)</b> <b>Voice Thru (TDD - Voice)</b> <b>Voice Thru (Voice - TDD)</b> <b>Audiotext</b> <b>Information Lines</b> <b>Business Answering Machines</b> <b>Residential Answering Machines</b> <b>Beepers</b> <b>Spanish Answering Machine</b> <b>TTY Answering Machine</b>

## Speech-to-Speech Training Outline

Module 1	<b>Orientation</b> <b>Objectives</b> <b>Welcome &amp; Introductions</b> <b>Description</b> <b>History</b>	<b>What is Speech to Speech</b> <b>Differences from Relay</b> <b>Agent Training</b>
Module 2	<b>Speech to Speech Customers</b> <b>Objectives</b> <b>Introduction</b> <b>Phone Image</b> <b>Characteristics of Speech to Speech Customers</b> <b>Breaking the Stereotypes</b>	<b>Varying Speech Patterns</b> <b>Voice Synthesizers</b> <b>Types of Calls</b> <b>Transparency &amp; Confidentiality Phrases</b>
Module 3	<b>Attributes of STS CAs</b> <b>Objectives</b> <b>Patience</b> <b>Concentration</b> <b>Listening Skills</b>	<b>Caller Control</b> <b>Sensitivity and Understanding</b>
Module 4A	<b>Call Processing Procedures</b> <b>Objectives</b> <b>Your Role as CA</b> <b>Billing</b> <b>Directory Assistance</b> <b>Changing CAs</b>	
Module 4B	<b>Answering Machines and Audiotext</b> <b>Answering Machines</b> <b>SA to SD Answering Machine</b> <b>Busy/Disconnects</b> <b>Audiotext Message</b> <b>Pagers/Beeper</b>	
Module 4C	<b>Emergency Call Processing</b> <b>Emergency Services</b> <b>EM Numbers</b> <b>Emergency Incident Form</b>	
Module 4D	<b>Variations</b> <b>Outbound to Relay</b> <b>Personal Conversations</b> <b>Operator Calls</b> <b>Talking on Hold</b> <b>Keeping the Customer Informed</b> <b>Differentiating STS and Relay</b> <b>Outdialing to STS</b>	<b>Using GA</b> <b>Spelling</b> <b>Announcement</b> <b>900 Calls</b> <b>Request to Hold</b> <b>SD to SD through STS</b> <b>Non STS Calls</b>

## Sprint CapTel Training Outline

### 1.0 Training Summary Outline

#### 1.1 Introduction/Tour

Introductions: Lead trainer, training assistant, Call Center director, and other administrative personnel that may be involved in the first day of training. Prospective CAs are given a tour of the building and the facilities. Each individual is given a security passkey and shown how to use it. The CTI building is a secured facility and the passkey is needed to enter the parking lot after normal business hours, enter the building and gain access to the Call Center floor by stairway or elevator.

#### 1.2 Human Resources Overview

The Human Resource coordinator meets with each group to go over required employment paperwork for the State of Wisconsin, Call Center policies, non-disclosure agreement, confidentiality requirements, expected standards that must be met to pass out of training, and current scheduling needs.

#### 1.3 Videos

Several videos are shown to better demonstrate the job of a CA and how the technology works and how it provides improved communication for our clients. After each video, questions are answered or clarified as needed.

#### 1.4 Mini Demonstration *CapTel*/Phone

A brief explanation of the *CapTel*/phone and the captioning system is given including commonly used terminology when referring to each party involved in a call. Each trainee is then able to place a short call to experience using the *CapTel*/phone. This helps individuals to better understand what we are asking them to provide our clients and what the client experiences.

#### 1.5 Introduction - Developing a Personal Voice Profile

Developing a personal voice profile is the most important step to successfully process *CapTel* calls. CAs are given specific instruction as to how to speak, how to sit, and how to utilize the computer and headset to gain optimal accuracy.

#### 1.6 Introduction - Training Program

The *CapTel* training program allows individuals to listen to various pre-recorded scripts and "re-voice" what they hear directly into the recognition program. Individuals are coached to focus on developing the proper re-voicing technique. This simulates the conversation or voice of the hearing person and having to repeat those words to the computer accurately. Through the progression of various training scripts CAs work to improve their speed of speech while maintaining accurate pronunciation of words based on each script.

#### 1.7 Introduction - Call Handling Tools

Macros are utilized to aid in the speed and accuracy of calls. CAs listen to pre-recorded scripts that consist mainly of macro type words and learn to utilize the macros accordingly.

#### **1.8 Introduction - Call Handling Skills –Pacing a Conversation**

CAs are introduced to further call handling skills that allow them to pace various calls in order to provide accurate captions.

#### **1.9 Introduction - Call Handling Skills – Inserting Words**

*CapTel* trains its CAs to insert particular words that the Voice Recognition is not able to caption successfully or in a consistent manner. These words include such things as people's names and regional cities and towns.

#### **1.10 Introduction – How to Handle Various Recordings**

CAs are introduced to various types of calls and how to handle each. The importance of verbatim transcription, confidentiality, accuracy and speed are reviewed. CAs view a demonstration by the training assistant, and then each CA is assigned scripts relating to answering machines and automated recordings.

#### **1.11 Introduction & Demo of *CapTel* Conversation**

Each trainee observes each end of the "telephone call", (CA, *CapTel*/user, hearing person). Each CA assists in making "live" calls to other trainees. This encourages each CA to observe and experience what our clients experience on every call. It also allows the CA who is captioning an opportunity to practice their learned techniques on more realistic, true to life calls.

### **2.0 Introduction to Call Simulation**

Live call simulation allows CAs to gain exposure to real incoming calls landing on the production floor, however they do not interfere with the quality of captions going to the *CapTel* user. New CAs are paired with experienced CAs on the production floor to observe and listen to live calls.

#### **2.1 Call Simulation-Timings**

CAs are placed into a rotation of call simulation and receive their first official timing for speed and accuracy baseline timings provide a progress report for each CA and develop a list of improvement areas. This measures the quality and accuracy of re-voicing.

#### **2.2 Review of Baseline Timings**

Training Scripts are assigned to the group. One at a time, each CA meets with the trainer to review their baseline timings. Feedback and review of standards and expectation are given.

#### **2.3 Introduction to Correction Tool**

The correction tool is introduced to provide CAs with another opportunity to provide the highest quality captions.

## **2.4 Review Training Elements**

CAs meet as a group with the trainer to review the various elements that enable them to provide the quality of captions we expect from each CA.

## **3.0 Monthly Timing Policy**

CTI's monthly timing policy is reviewed with all CAs. The importance of successfully passing these timings is emphasized.

### **3.1 Call Simulation-Timings**

CAs are placed into a rotation of call simulation and receive an official timing. This second timing is a base-line timing in which re-voicing accuracy and call handling skills along with the ability to correct errors are evaluated. Each CA is unaware of when the timing will occur.

## **4.0 Production Floor Orientation**

Current supervisors meet with the group of CAs to go over specific Call Floor procedures, expectations, break adherence, time clock, lockers, emergency plans, and point of contact individuals for questions and assistance.

CAs continue to progress onto the production floor and practice in the training room as needed. CAs are timed each day and progress is reviewed until a CA meets the expected standards or it is determined the individual is not suited for the position. Action is taken as necessary.



## Video Relay Service Training Outline and Qualifications

- All Sprint VRS interpreters are qualified and will adhere to the Registry of Interpreters for the Deaf (RID) Code of Ethics. The VRS interpreter qualifications are listed below:
  - Certified by the NAD at levels III, IV, or V or certified by RID as IC/TC, CI, CSC, LSC or MSC or demonstrated State equivalent. (Note: In rare instances, VIs may process Sprint VRS calls prior to certification based on qualifications and interpreting skills).
  - Possess English language skills at a college level.
  - Observe strict confidentiality guidelines using RID's Code of Ethics.
  - Function in a totally transparent mode.
  - Possess strong receptive and voicing skills.
  - Possess sensitivity to the needs of the Deaf, Hard of Hearing and hearing parties
  - Have a wide range of experience working in the deaf Community utilizing ASL, PSE and Signed English Community utilizing ASL, PSE and Signed English communication modes in social, economic, and educational settings.
  - Possess interpreting experience for persons who have minimal language skills.
  - Possess computer literacy, including familiarity with current Windows operation system, and be able to operate computer and video equipment.
  - Exhibit superior customer service skills.
  - Posses the skill to conduct video interpretation sessions with a wide range of individuals.
  - Have a good command of English grammar and composition.
  - Possess clear and articulate voice communications.
  - Be familiar with speech and disability cultures, languages, and etiquette.
  - Possess the ability to work under pressure.
  - Be capable of working in a multi-tasked environment.
  - Have the skill to conduct telephone conversations with a wide range of individuals.
  - Be a citizen of the U.S. or an alien who has been lawfully admitted for permanent residence as evidenced by the INS Permanent Resident Card (INS Form I-551).
  - Successfully completed, as a minimum, training to include deaf culture, American Sign Language, sensitivity to the capabilities and needs of people with speech impairments, the VI's role in the relay process, and training in interpersonal skills to handle difficult or stressful conversations.
  - Beginning college level skills in English grammar and diction.

## Appendix C: TRS Pledge of Confidentiality

### RELAY CENTER CODE OF ETHICAL BEHAVIOR

AS PART OF THE RELAY SERVICES ORGANIZATION, ALL EMPLOYEES, CONTRACTORS AND VISITORS ARE BOUND TO THE LAWS OF THE STATE AND THE FOLLOWING GUIDELINES:

1. ALL TELECOMMUNICATIONS RELAY SERVICE CALL RELATED INFORMATION IS TO BE STRICTLY CONFIDENTIAL. The employee, contractor or visitor shall not reveal any information acquired during or observing a relay call. Any call-related questions or problems are to be discussed with management.
2. NOTHING IS TO BE EDITED OR OMITTED FROM THE CONTENT OF THE CONVERSATION OR THE SPIRIT OF THE SPEAKER. The employee shall transmit exactly what is said in the way that it is intended in the language of the customer's choice.
3. NOTHING IS TO BE ADDED OR INTERJECTED INTO THE CONTENT OF THE CONVERSATION OR THE SPIRIT OF THE SPEAKER. The employee shall not advise, counsel, or interject personal opinions, even when asked to do so by the consumer.
4. TO ASSURE MAXIMUM USER CONTROL, THE EMPLOYEE WILL BE FLEXIBLE IN ADAPTING TO THE CONSUMER'S NEEDS.
5. EMPLOYEES WILL STRIVE TO FURTHER COMPETENCY IN SKILLS AND KNOWLEDGE THROUGH CONTINUED TRAINING, WORKSHOPS, AND READING OF CURRENT LITERATURE IN THE FIELD.

I have read and understand the Relay Center Code of Ethical Behavior. I agree to comply with this Code and any applicable State and Federal laws pertaining to Telecommunications Relay Services and understand that failure to do so will lead to company disciplinary action that may result in my termination and criminal prosecution.

\_\_\_\_\_  
EMPLOYEE/CONTRACTOR/VISITOR SIGNATURE      DATE

\_\_\_\_\_  
MANAGER/SUPERVISOR SIGNATURE      DATE

## CapTel CA Pledge of Confidentiality

### Confidentiality Policy

- I will not disclose to any individual (outside of a member of the *CapTel* management staff) the identity of any caller or information I may learn about a caller (including names, phone numbers, locations, etc.) on any *CapTel* call.
- I will not act upon any information received while processing a *CapTel* call.
- I will not disclose to anyone the names, schedules, or personal information of any fellow worker at *CapTel* Inc.
- I will not share any information about *CapTel* calls with anyone except a member of the *CapTel* Inc. management staff in order to investigate complaints, technical issues, etc.
- I will continue to hold in confidence all information related to the work and calls I have performed while at *CapTel* Inc. after my employment ends.
- I will never reveal my Captionist ID number in conjunction with my name unless asked by a member of the *CapTel* Inc. management staff.
- I will not share with anyone any technical aspect of my position at *CapTel* Inc. unless asked by a member of the *CapTel* Inc. management staff.
  
- I will not talk about consumers or call content with any fellow Captionists.
- I will not listen to or get involved in calls taken by fellow Captionists.

I have read the above Confidentiality Policy and understand a breach of confidentiality will result in disciplinary action up to and including termination of employment at *CapTel* Inc. I recognize the serious and confidential nature of my position and therefore promise to abide by these guidelines.

---

Employee Name

Date

#### Appendix D: E 911 Call Procedure

- Sprint uses a system for incoming emergency calls that automatically and immediately transfers the relay user to the nearest Public Safety Answering Point (PSAP). Sprint considers an emergency call to be one in which the user of the relay service indicates they need the police, fire department, paramedics, or ambulance. The following steps will be taken to connect the caller to the correct PSAP:
  - The CA, when told by a TTY/ASCII user (non-voice) that an emergency exists, will hit a “hot key”.
  - The CA’s terminal sends a query to the E911 database containing the caller’s geographic area ANI.
  - The database responds with the telephone number of the PSAP that covers the geographic source of the call, and then, automatically dials the PSAP number, and automatically passes the caller’s ANI to the E911 service center.
- The CA remains on the line until emergency personnel arrive on the scene unless previously released by the caller. The CA also verbally passes the caller’s ANI onto the E911 center operator. If the inbound relay caller disconnects prior to reaching E911, the CA will stay on the line to verbally provide the caller’s ANI to the E911 center operator.
- When a CapTel user dials 9-1-1, Sprint will route the call directly to the most appropriate PSAP. The 911 PSAP center will receive the caller’s Automated Number Identification and Automated Locator Identification. If the call is disconnected, the 911 center will call the CapTel user back.
- If a CapTel user had only one line connected to their CapTel phone, captions will not be engaged on the call. A prompt on the phone will instruct the CapTel user how to communicate with the 9-1-1 center to request Voice-Carry-Over communications to begin. The PSAP would be engaged in typing directly to the user, and the user would be able to speak to the 911 dispatcher.

## Appendix E Sprint Carrier of Choice Letter of Invitation



(date)

(name)

(Company name)

(address)

(telephone)

(fax)

(e-mail address)

Re: (Customer's name and phone number – requested LEC for COC)

Thank you for your interest to complete (Company Name) Long Distance calls with Sprint Telecommunications Relay Service (TRS). As the default Toll carrier for processing relay calls in more than thirty-two states (32), Sprint currently transports the traffic of customers who have selected you as their Toll carrier. However, many of your customers would prefer to use (Company Name) LD for their toll calls. At present, Sprint TRS is unable to send the toll calls from the regional centers or state access tandem to your network. Hence, this letter is being written to make you aware of a potential service-impacting issue regarding TRS calls and measures your company can take to ensure your customers' toll calls are completed through TRS.

The Americans with Disabilities Act of 1990 mandate TRS, and TRS standards are established and are monitored by the Federal Communications Commission (FCC). TRS is a service that links telephone conversations between standard (voice) telephone users and people who are deaf, hard of hearing, deaf-blind, or speech disabled using Text Telephone (TTY) equipment. The State Public Utilities Commission manages the day-to-day operations of TRS and has contracted with Sprint Corporation to provide relay service in their states.

Both, the Americans with Disabilities Act of 1990 and FCC's Order 00-56 on TRS mandate that all states provide TRS and that TRS users shall have equal access to their chosen interexchange carrier and to all other operator services, to the same extent that such access is provided to voice users. In order to provide this access to your customers, your company is encouraged to submit a letter of authorization to accept TRS calls from Sprint.

*Attachment A* lists the facility-based providers who currently participate at Sprint TRS Carrier of Choice program. If your company (or your facility based provider) is not currently listed, please review the following and determine the appropriate follow-up action needed to be taken:

### **Facility-based provider**

If you are a participating member at Sprint Carrier of Choice program, please disregard.

If you are not a participating member at Sprint Carrier of Choice program, you need to establish a network presence at the regional centers or state access tandem and accept calls from Sprint through the industry method of SS7 trunking and TRS billing codes of Info Digit Pair 60, 66, and 67 (see below).

**Non-facility based provider**

1. If your underlying toll carrier is a participating member at Sprint Carrier of Choice program, Sprint can implement the IXC brand name and pass the toll call information to the underlying carrier's CIC code. Please submit a letter of authorization that would advise Sprint to implement the carrier brand name and to send the toll call information to its underlying toll carrier.

If your underlying toll carrier is not a participating member at Sprint Carrier of Choice program, you will need to work with your underlying toll carrier to establish a network presence at the regional centers or state access tandem and accept calls from Sprint through the industry method of SS7 trunking and TRS billing codes of Info Digit Pair 60, 66, and 67 (see below).

Before you submit a letter of authorization to Sprint TRS, please consider the following four factors:

2. Your CIC codes or your underlying toll carrier CIC codes associated with 1+, 0+, and 0- and International dialing must be loaded into the regional (and/or state) access tandems.

You or your underlying toll carrier will need to support SS7 tandem interconnection.

You or your underlying toll carrier will need to ensure that your translation tables are updated in order to appropriately receive, rate, and bill Sprint calls per Bellcore industry standards. Sprint calls are designated as ANI II Digit Pair **60, 66, and 67**.

If you utilize more than one underlying toll carrier to carry the toll traffic, select a single toll carrier that will accept Sprint traffic.

**Note:** For detailed information regarding access tandem interconnection and carrier of choice provisioning through Sprint, please refer to ATIS/NIIF-008, the "Telecommunications Relay service – Technical Needs" document.

Attachment B lists Access Tandem Interconnection locations which Sprint TRS is connected with. The best way to provide access to your Toll network through relay service for your customers is to designate the 13 Sprint Regional TRS center/Access Tandem combinations as the points at which Sprint will hand off Toll relay service traffic to you. In this manner, any relay caller that wishes to use your services may be efficiently, and with minimal time delay, routed to your network. Should you not have a presence at one or more of the Sprint regional center/access tandem combinations, the traffic may be handed off at one of the regional center's access tandem.

Attachment C is a sample letter of authorization. Once Sprint receives your written request to participate in the Sprint TRS Carrier of Choice program, Sprint will schedule translation updates in the next available release (usually 45 to 90 days). **Information obtained from the carriers will be used solely for the purpose of providing equal access for (Company Name) LD customers and shall be held proprietary.**

Sprint welcomes your company's participation in our TRS Carrier of Choice program at **no cost** to you if your company has network presence at any of our listed regional center/state access tandem locations. Your participation at the Sprint Carrier of Choice program will create a win-win situation for our customers. Through Sprint, as the relay provider, customers will be able to enjoy uninterrupted service and your company will be able to generate additional revenue.

Thank you for your prompt attention to this matter. If you have any questions concerning with the letter, please do not hesitate to call (Account Manager) at (phone number) or email at (e-mail address).

Sincerely Yours,

3.

(your name)

CC: Michael Fingerhut, Federal Regulatory, Sprint

Angela Officer, Program Manager, Sprint



▪ Attachment A

**Current participating members (facility-based providers) at Sprint TRS Carrier of Choice:**

<u>Entity</u>	<u>CIC Code</u>
AT&T Communications	0288
Bell South Long Distance	0377
Bestline	0302
Birch Telecom	0678
Broadwing Communications	0948
Broadwing Telecommunications	0071
Cox Communications	6269
Excel Telecommunications, Inc.	0752
Global Crossings Telecommunications	0444
MCIWorldCom	0222
McLeod USA	0725
Qwest Communications	0432
SBC Communications Long Distance	5792
Souris River Telecommunications	0770
Sprint	0333
Telecomm*USA (MCIWorldCom)	0220, 0321, 0835, 0987
Touch America Services, Inc.	0244
U.S. Link	0355
VarTec dba Clear Choice Communications	0636
VarTec Telecom, Inc.	0465, 0638, 0811, 0899, 5111
Verizon Long Distance	5483
Winstar	0643
Working Assets	0649
WorldCom	0555, 0987
WorldXChange	0502, 0834

Updated: 8/12/07

▪ Attachment B

**Access Tandem Interconnection Locations**

State	Access Tandem	Tandem CLI	Tandem LEC
Missouri	Kansas City	KSCYMO5503T	SBC
Texas	Ft Worth	FTWOTXED03T	SBC
North Carolina	Charlotte	CHRLNCCA05T	Bell South
South Carolina	Charleston	CHTNSCDT60T	Bell South
New York	Syracuse	SYRCNYSU50T	Verizon
Ohio	Dayton	DYTNOH225GT	Ameritech
South Dakota	Sioux Falls	SXFLSDCO09T	Qwest
North Dakota	Bismarck	BSMRNDBC12T	Qwest
Arkansas	Little Rock	LTRKARFR02T	Southwestern Bel
Florida	Miami	NDADFLGG01T	Bell South
California	Sacramento	SCRMCA0103T	Verizon / Pac Bel
Colorado	Denver	DNVRCOMA02T	Qwest
Illinois	Chicago	CHCGILNE50T	Ameritech
Minnesota	Owatonna	OWTNMNOW12T	Qwest
Wyoming	Cheyenne	CHYNWYMA03T	Qwest

Updated: 8/12/07

▪ Attachment C

**S A M P L E Letter of Authorization**

< DATE >

<Name>, Account Manager

<Street1> <Street2>

<City>, <State> <Zip Code>

FAX: <Fax. No.>

This letter of authorization has been issued to give Sprint TRS permission to send < Toll Carrier Company Name > toll traffic associated with 1+, 0+, and 0- and International dialing through Sprint TRS at the < Regional COC Tandems >.

**1. Regional COC Tandems**

You will need to provide Sprint with the following:

Toll Carrier: < insert name>

CIC Code: <insert CIC>

Underlying Toll Carrier: <insert name>

Underlying Carrier CIC Code: <insert CIC>

Choose Tandem Below

State	Access Tandem	Tandem CLLI	Tandem LEC
Missouri	Kansas City	KSCYMO5503T	SBC
Texas	Ft Worth	FTWOTXED03T	SBC
North Carolina	Charlotte	CHRLNCCA05T	Bell South
South Carolina	Charleston	CHTNSCDT60T	Bell South
New York	Syracuse	SYRCNYSU50T	Verizon
Ohio	Dayton	DYTNOH225GT	Ameritech
South Dakota	Sioux Falls	SXFLSDCO09T	Qwest
North Dakota	Bismarck	BSMRNDBC12T	Qwest
Arkansas	Little Rock	LTRKARFR02T	Southwestern Bel
Florida	Miami	NDADFLGG01T	Bell South
California	Sacramento	SCRMCA0103T	Verizon / Pac Bel
Colorado	Denver	DNVRCOMA02T	Qwest
Illinois	Chicago	CHCGILNE50T	Ameritech
Minnesota	Owatonna	OWTNMNOW12T	Qwest
Wyoming	Cheyenne	CHYNWYMA03T	Qwest

Updated 8/12/07

## **2. Call Type Restrictions**

< Toll Carrier Brand Name > will accept any intrastate, international and operator services call types that will be routed to the < tandem location(s) > tandems.

### **OR**

< Toll Carrier Brand Name > will accept any (*specify intrastate, interstate, international, and operator services*) call types except for (*specify what call types and restrictions*) that should not be routed to the < tandem location > tandems.

If there are any questions regarding this letter of authorization, please contact < Name >, < Job Title >, < Department Name > at xxx-xxx-xxxx.

Sincerely, < Name >< Job Title >, < Department Name >

## Appendix F: Sprint Route Outage Prevention Programs

### Call Before You Dig Program

- This program uses a nationwide 800 number interlinked with all local/state government utility agencies as well as contractors, rail carriers, and major utilities. Sprint currently receives in excess of 60,000 calls per month for location assistance over the 23,000-mile fiber network.

### Awareness Program

- This Sprint program proactively contacts local contractors, builders, property owners, county/city administrators, and utility companies to educate them on Sprint's cable locations and how each can help eliminate cable outages.

### Route Surveillance Program

- This is a Network Operations department program using Sprint employees to drive specific routes (usually 120 miles) and visually inspect the fiber cable routes. This activity is performed an average of 11.6 times per month or approximately once every 2-3 days.

### Technician Program

- Technicians are stationed at strategic locations and cover an area averaging 60 route miles. Each technician has emergency restoration material to repair fiber cuts on a temporary basis. Other operations forces within a nominal time frame accomplish total repair.

### Fiber/Switch Trending Program

- This includes a weekly summary of equipment failure events highlighting bit error rate (BER) and cable attenuation. As a result, Sprint identifies potential equipment problems and monitors performance degradation to establish equipment-aging profiles for scheduled repair, replacement, or elimination. Aging profiles are computer-stored representations of the characteristics of a fiber splice. The profile is stored at the time the splice is accepted and put into service. A comparison of the original profile and current profile are compared for performance degradation. Maintenance is scheduled based on this type of monitoring.

### Network Management and Control Systems

- The Sprint network is managed and controlled by a National Operations Control Center (NOCC) located in Overland Park, KS. As a back up, a secondary NOCC is located in Lenexa, KS. The NOCC is designed to provide a national view of the status of the network as well as to provide network management from a centralized point. The NOCC interfaces with the Regional Control Centers (RCCs) to obtain geographical network status. The RCCs are responsible for maintenance dispatch and trouble resolution, and are designed to provide redundancy for each other and back-up status for the NOCC.
- The NOCC and RCC work closely with the ESOCC in cases where a network problem may affect North Dakota operations. In cases such as these, the NOCC or RCC immediately alerts the ESOCC of the situation so that appropriate steps can be taken to minimize service impacts. The NOCC and RCCs also serve as reference points for the ESOCC when problems are detected in the TRS center that are not the result of internal center operations.

## Network Management

- Commitment to a digital fiber optic network permits Sprint to use a single transmission surveillance protocol to integrate internal network vendor equipment. This enhances Sprint's ability to automate and provide preventive, near real-time detection and isolation of network problems. The controlling principle is identification and correction of potential problems before they affect the North Dakota call capabilities.
- Sprint divides the major functional responsibilities, facilities maintenance and network management, into a two-level organization which maximizes network efficiencies and customer responsiveness. The first level consists of the RCCs located in Atlanta and Sacramento. RCC personnel focus on the performance of individual network elements within predetermined geographical boundaries. The second level is the NOCC in Kansas City that oversees traffic design and routing for Sprint's 23,000-mile fiber optic network and interfaces.
- This two-level operational control organization, combined with architectural redundancies in data transport and surveillance, control and test systems, ensures an expedited response to potential problems in both switched and private line networks.
- In the event of a power outage, the UPS and backup power generator ensure seamless power transition until normal power is restored. While this transition is in progress, power to all of the basic equipment and facilities essential to the center's operation is maintained. This includes:
  - Switch system and peripherals
  - Switch room environmentals
  - CA positions (consoles/terminals and emergency lights)
  - Emergency lights (self-contained batteries)
  - System alarms
  - CDR recording
- As a safety precaution (in case of a fire during a power failure), the fire suppression system is not electrically powered. Once the back-up generator is on line, stable power is established and maintained to all TRS system equipment and facility environmental control until commercial power is restored.

### CAPTEL OUTAGE PREVENTION

Sprint will provide FCC compliant *CapTel* service from the two *CapTel* Service Centers in Madison and Milwaukee, WI. Sprint's *CapTel* vendor *CapTel Inc.* (CTI) operates the two current *CapTel* Service Centers in the nation. These unique Centers operate with enough terminals for 200 agents each, along with support personnel, Technicians, and Supervisors.

Both *CapTel* Service Centers are equipped with redundant systems for power, ACD/telecom switching equipment, call processing servers, data network servers, and LAN gear. Most equipment failures can be corrected without complete loss of service.



Having two *CapTel* Service Centers ensures minimum interruptions in service if something unexpectedly halts operations in one Center or the other such as a flood or a tornado. In those instances, traffic from one Center can automatically be routed to the other.

## Appendix G: Disaster Recovery Plan

- Sprint's comprehensive Disaster Recovery Plan developed for North Dakota details the methods Sprint will utilize to cope with specific disasters. The plan includes quick and reliable switching of calls, network diagrams identifying where traffic will be rerouted if vulnerable circuits become inoperable, and problem reporting with escalation protocol. Besides service outages, the North Dakota Disaster Recovery Plan applies to specific disasters that affect any technical area of Sprint's Relay network.
- The first line of defense against degradation of North Dakota is the Intelligent Call Router (ICR) technology that Sprint employs. During a major or minor service disruption, the ICR feature bypasses the failed or degraded facility and immediately directs calls to the first available agent in any of Sprint's eleven fully inter-linked TRS Call Centers. State-specific call processing software resides at each of Sprint's Relay Call Centers. Communications Assistants (CAs) are trained in advance to provide service to other States; the transfer of calls between centers is transparent to users.
- Beyond the ICR, Sprint's Disaster Recovery Plan details the steps that will be taken to deal with any problem, and restore North Dakota to its full operating level in the shortest possible time.

### North Dakota Notification Procedure

- To provide North Dakota with the most complete and timely information on problems affecting their TRS, the trouble reporting procedure for North Dakota will include three levels of response:
  - A 3-hour verbal report
  - A 24-hour status report
  - A comprehensive final report within 5 business days
- Sprint will notify the North Dakota within three hours if a service disruption of 30 minutes or longer occurs. For service disruptions occurring outside normal business hours, the initial report will be provided by 8:30 AM on the next business day. This initial report will explain how the problem will be corrected and an approximate time when full service will be restored. Within 24 hours of the service disruption, an intermediate report provides problem status and more detail of what action is necessary. In most cases, the 24-hour report reveals that the problem has been corrected and that full service to North Dakota has been restored. The final comprehensive written report, explaining how and when the problem occurred, corrective action taken, and time and date when full operation resumed will be provided to the North Dakota Administrator within five business days of return to normal operation. Examples of service disruption to North Dakota include:
  - ACD failure or malfunction



- Major transmission facility blockage
- Threat to North Dakota CA's safety or other CA work stoppage
- Loss of CA position capabilities
- Performance at each Sprint relay center is monitored continuously 24 hours a day, seven days a week from Sprint's Enhanced Services Operation Control Center (ESOCC) in Overland Park, KS.

## Disaster Recovery Procedures

- If the problem is within the relay center serving North Dakota, maintenance can usually be performed by the on-site technician, with assistance from Sprint's ESOCC. If the problem occurs during non-business hours and requires on-site assistance, the ESOCC will page the technician to provide service remedies. Sprint retains hardware spares at each center to allow for any type of repair required without ordering additional equipment (except for complete loss of a center).

## Time Frames for Service Restoration

### Complete or Partial Loss of Service Due to Sprint Equipment or Facilities

- Sprint Call Center Equipment - A technician is on-site during the normal business day. The technician provides parts and / or resources necessary to expedite repair within two hours. Outside of the normal business day a technician will be on-site within four hours. The technician then provides parts and /or resources necessary to expedite repair within two hours.
- Sprint or Telco Network Facilities - For an outage of facilities directly serving North Dakota, incoming TRS calls will immediately be routed to one of ten other centers throughout the US. No calls will be lost. Repair of fiber or network facilities typically requires less than eight hours.
- Due to Utilities or Disaster at the Center - Immediate rerouting of traffic occurs with any large-scale center disaster or utility failure. Service is restored as soon as the utility is restored, provided the Sprint equipment has not been damaged. If the equipment has been damaged the service restoration for Sprint equipment (above) applies.
- Due to Telco Facilities Equipment - A Telco equipment failure will not normally have a large effect on TRS traffic within the state unless it occurs on Telco facilities directly connected to the call center. In this case, normal Sprint traffic rerouting will apply. For a failure at a telco central office - In (CITY), for example, only local (CITY) residents would be affected until the Telco has performed the necessary repairs. For situations like this, it will be at Sprint's discretion to dispatch a technician. The normal Telco escalation procedures will apply. The Telco escalation process is all during the normal business day; therefore, a trouble may be extended from one day to the next.

## Trouble Reporting Procedures

- The following information is required when a North Dakota user is reporting trouble:
  - Service Description "(North Dakota)"
  - Caller's Name

- Contact Number
  - Calling to/Calling from (if applicable)
  - Description of the trouble
- Service disruptions or anomalies that are identified by North Dakota users may be reported to the Sprint Relay Customer Service 800 number (800-877-0996) at any time day or night, seven days a week. The Customer Service agent creates a trouble ticket and passes the information on to the appropriate member of Sprint's Maintenance Team for action. Outside the normal business day, the ESOC will handle calls from the Customer Service agents 24 hours a day, 7 days a week. The Maintenance Team recognizes most disruptions in service prior to customers being aware of any problem. Site technicians are on call at each of Sprint's 11 TRS Call Centers to respond quickly to any event, including natural disasters.

### Mean Time to Repair (MTTR)

- MTTR is defined and detailed in Tables A-1 and A-2:

Table A-1 Time to Investigate + Time to Repair + Time to Notify

Time to Investigate	<b>The time needed to determine the existence of a problem and its scope.</b>
Time to Repair	<b>Repair time by Field Operations plus LEC time, if applicable.</b>
Time to Notify	<b>From the time repair is completed to the time the customer is notified of repair completion.</b>

Table A-2 Current MTTR Objectives

Switched Services	<b>8 Hours</b>
Private Lines	<b>4 Hours (electronic failure)</b>
Fiber Cut	<b>8 Hours</b>

- Sprint's Mean Time to Repair is viewed from the customer's perspective. A critical element in the equation is the Time to Notify, because Sprint does not consider a repair complete until the customer accepts the circuit back as satisfactory.

### Escalation Procedures

- If adequate results have not been achieved within two hours, a North Dakota user may escalate the report to the next level. Table A-3 details the escalation levels.

Table A-3 Escalation Levels

Escalation Level	Contact	Phone
2	<b>Regional Maintenance Manager</b>	<b>Office Phone Number (913) 253-4394 Cell Phone Number Cell Phone 913-484-2263</b>
3	<b>Senior Manager, Technical Staff</b>	<b>Office Phone Number (913) 253-4396</b>

## Service Reliability

- Sprint's service is provided through an all-fiber sophisticated management control networks support backbone networks with digital switching architecture. These elements are combined to provide a highly reliable, proven, and redundant network. Survivability is a mandatory objective of the Sprint network design. The Sprint network minimizes the adverse effect of service interruptions due to equipment failures or cable cuts, network overload conditions, or regional catastrophes.
- A 100 percent fiber-optic network, with significant fiber miles in North Dakota, provides critical advantages over the other carriers. These advantages include:

- Quality

Since voice or data are transmitted utilizing fiber optic technology, the problems of outdated analog and even modern microwave transmission simply do not apply. Noise, electrical interference, weather-impacting conditions, and fading are virtually eliminated.

- Economy

The overall quality, architecture, and advanced technology of digital fiber optics makes transmission so dependable that it costs us less to maintain, thereby passing the savings onto our customers.

- Expandability

As demand for network capacity grows, the capacity of the existing single-mode fiber can grow. Due to the architecture and design of fiber optics, the capacity of the network can be upgraded to increase 2,000-fold.

- Survivability

Network survivability is the ability of the network to cope with random disruptions of facilities and/or demand overloads. Sprint has established an objective to provide 100 percent capability to reroute backbone traffic during any single cable cut. This is a significant benefit to North Dakota, and a competitive differentiation of the Sprint network.

- Currently, Sprint has over 23,000 miles of its fiber network in place and in service, with a fiber point of presence (POP) in every Local Access Transport Area (LATA). The two LATAs in North Dakota are served by one Sprint POPs. There are plans for additional fiber mileage, additional POPs, and added route diversity. There are more than 300 POPs in service on the network. With one POPs in the state, all areas will be adequately serviced by Sprint.
- Switched services are provided via 49 Northern Telecom DMS-250/300 switches at 29 locations nationwide. Three DMS-300s located at New York, NY; Fort Worth, TX; and Stockton, CA, serve as international gateways. The remaining 46 switches provide switching functions for Sprint's domestic switched services. North Dakota would primarily be served by the DMS switches in St. Paul, Minnesota, with other diversely located facilities also serving North Dakota.
- Interconnection of the 49 switches is provided in a non-hierarchical manner. This means that inter-machine trunk (IMT) groups connect each switch with all other switches within the network. Each of these IMT groups is split and routed through the Sprint fiber network over SONET route paths for protection and survivability. As an extra precaution to preclude any call blockage, Dynamically Controlled Routing (DCR) provides an additional layer of tandem routing options when a direct IMT is temporarily busy.

- Reliability is ensured through a corporate commitment to maintain or surpass our system objectives. Beginning with the network design, reliability and efficiency are built into the system. Sprint continues to improve the network's reliability through the addition of new technologies such as Digital Cross-connect Systems, SONET, and Signaling System 7.
- The effectiveness of this highly reliable and survivable network is attributed to the redundant transmission and switching hardware configurations, SONET ring topology, and sophisticated network management and control centers. These factors combine to assure outstanding network performance and reliability for North Dakota.

## **Network Criteria**

### **System Capacity**

- The Sprint network was built with the capacity to support every interLATA and intraLATA call available in the US. With the continuing development of network fiber transmission equipment to support higher speeds and larger bandwidth, the capacity of the Sprint network to support increasing customer requirements and technologies is assured well into the future.

## Sprint Outage Notification from *CapTel*/Service Center

Performance at the *CapTel*/Service Center is monitored continuously by CTI technicians 24 hours a day, seven days a week. Sprint will be notified by the *CapTel*/Service Center Manager immediately upon determination of any type of natural or man-made problem that causes either:

- A complete (100 percent) loss of the *CapTel*/Service Center, OR
- Any partial loss of service in excess of 15 minutes that is service affecting. Examples of such a loss in service include:
  - An accidental switch rebooting
  - Loss of transmission facilities through the telephone network
  - Terrorist attack
  - Bomb threat or other work stoppage
  - Sudden loss of agent position capabilities.
  - Impact to minimum ASA / Speed of Answer times
  - Acts of God

Contact from the *CapTel*/Service Center Manager or designated CTI contact person will be made to the assigned contact people at Sprint immediately upon awareness of an outage meeting the above criteria, 24 hours a day, seven days a week including holidays with the following documentation:

- 1) What time did the outage happen in CENTRAL TIME?
- 2) What caused it?
- 3) Which customers are (or were) impacted?
- 4) What is (was) the solution to restore service?
- 5) What is the time that service will be (or was restored by) IN CENTRAL TIME?

## Sprint Procedure for Outage Notification to Contract Administrators during Business Hours

Upon receiving notification from CTI during business hours (8AM to 5PM CT), Sprint will have one of the below managers contact the Contract Administrator, depending on availability:

	Point of Contact (POC)	Position	Contact Information:
1	John Moore	Relay Program Management Mgr	P: (925) 468-4345 M: (925) 895-9176 E: <a href="mailto:John.E.Moore@sprint.com">John.E.Moore@sprint.com</a>
2	Angela Officer	Relay Program Manager	P: (703) 689-5654 E: <a href="mailto:Angela.Officer@sprint.com">Angela.Officer@sprint.com</a>
3	Assigned On-Call Relay Program Manager	Relay Program Manager	Assigned as necessary

Upon receiving notification from CTI, Sprint will assess the problem and contact will be made by email to the Contract Administrator.

In cases of partial loss of service, such as several inoperable CA positions or, local area network outages, the *CapTel*/Center on-site technician will notify *CapTel*/Service Center to schedule repair. Only those partial losses of service that are service affecting in excess of 15 minutes will be email to the state Contract Administrator.

If the problem is within the *CapTel* Center, maintenance can usually be performed by the on-site technicians. Hardware spares are retained at the *CapTel* Service center to allow for the most common type of repair required without the ordering of additional equipment.

## Sprint Procedure for Outage Notification to Contract Administrators outside of Business Hours

Upon receiving notification from CTI outside of business hours (5PM to 8AM CT, Monday through Friday, and all day Saturday, Sunday and holidays), John Moore (or Angie Officer) will notify Contract Administrators immediately by email of an outage if possible, but by no later than 8AM CT the next business day. Follow-ups and post-mortem will still be provided within the required guidelines.

#### Disaster Recovery Follow-Up

Upon notifying customers of an outage, Sprint's contact person will provide regular updates from CTI to all customers and internal team members. The follow up will be kept in sync with CapTel Customer Service so that the information shared with customers from CTI is the same as what customers receive from Sprint.

#### Disaster Recovery Post-mortem documentation

72 hours (3 days) after the outage is resolved, CTI will need to provide a formal written analysis of the outage to the designated Sprint people (outlined above).

Sprint will send a document with the analysis to the Contract Administrator. John Moore will be the primary point of contact for the letter to be shared with customers. If John Moore is not available, then Angie Officer will provide the letter directly to customers.

- 1) What time did the outage happen in CENTRAL TIME?
- 2) What caused it?
- 3) Which customers are or were impacted?
- 4) What is the solution to restore service?
- 5) What is the time that service will be or was restored IN CENTRAL TIME?
- 6) What will *CapTel*, Inc do to prevent this from happening again?

CTI will be available to answer questions from Contract Administrators through Sprint.

#### Time Frames for Service Restoration

- Complete loss of service due to equipment -
  - Normal business day – A technician is on site during the normal business day. The technician will provide parts and/or resources necessary to expedite repair of the most common problems within two (2) hours.
  - Outside of the normal business day – A technician will be on-site within four (4) hours. The technician will then provide parts and/or resources necessary to expedite repair of the most common problems within two (2) hours.
    - Due to Utilities or Disaster at the Center – Service will be restored as soon as the utility is restored provided the equipment was not damaged. If the equipment was damaged then refer to the timing in the statement previous (Due to Equipment).
    - Due to Telco Facilities Equipment – A technician will be dispatched as necessary. The normal Telco escalation procedures for a partial outage will apply:
      - Two hours at first level
      - Four hours at second level
      - Eight hours at third level

These hours of escalation are all during the normal business day, so a trouble ticket may be extended from one day to the next.

- Partial loss of service – Due to Equipment

- Normal business day – A technician is on site during normal business hours. The technician will provide parts and/or resources necessary to expedite repair of the most common problems within four (4) hours.
- Outside of the normal business day – A technician will be on-site within eight (8) hours. The technician will then provide parts and/or resources necessary to expedite repair of the most common problems within four (4) hours.
  - Due to Position Equipment – A technician will be on-site within eight (8) hours, provided there are not enough positions working to process the forecasted traffic volumes. The technician will provide parts and/or resources necessary to expedite repair within 48 hours. If there are enough positions functional to process the forecasted traffic, the equipment will be repaired as necessary by Sprint.
  - Due to Telco Facilities Equipment – A technician will be dispatched as necessary by Sprint. The normal Telco escalation procedures for a partial outage will apply:
- Eight hours at first level
- Twenty-four hours at second level

These hours of Telco escalation are all during the normal business day, so a service request may be extended from one day to the next.

Trouble Reporting Procedures (for Individual Customers to Customer Service)

All calls concerning customer service issues should be placed by dialing the *CapTel*/Customer Service at 1-888-269-7477 (800-482-2424 TTY) in English only. A Customer Service agent will take information concerning:

- Caller's Name
- Contact Number
- Calling to / Calling from (if applicable)
- Description of the trouble

Report service affecting trouble to Customer Service during normal business hours, 8:00 AM to 5:00 PM Central Time, Monday through Friday. Normal business hours do not include Saturday, Sunday, and holidays.

Escalations of service affecting issues during normal business hours are followed below:

Level	Escalation Procedure during business hours	Point of Contact (POC)	Phone Number
1	CapTel Customer Service	Customer Service Agent	(888) 269-7477 captel@captelmail.com
2	CapTel Customer Service Supervisor	Pam Holmes	(888)-269-7477 Pam.Holmes@captelmail.com
3	Captioned Telephone Inc.'s (CTI) Call Center Director	Pam Frazier Call Center Director	(877) 437-4660 Pam.Frazier@captelmail.com

Table 4 – CapTel Customer Service Escalation Procedures



Hours outside the normal business day are 5:00 PM to 8:00 AM Central Time for every day of the week (Monday through Friday), and all day Saturday, Sunday, and holidays. Outside of normal business day hours, a recording will play and trouble calls can leave a message for customer service to follow up during the next business day.

The recording played to customers outside of CapTel customer service business hours:

Thank you for calling CapTel customer service. Our hours are Monday through Friday from 8AM to 5PM central time. You may try again during business hours or leave a voice mail message by pressing 3 now.

If the "3" button is pressed, then the customer will hear the following message:

Thank you for calling CapTel customer service. We are unable to take your call at this time. Please leave a detailed message with your name and phone number with area

code, or email address, and a reason for your call, and one of our representatives will return your call as soon as possible.

Alternative usage for CapTel phone during outage for VCO users.

➤ *CapTel* phones are equipped with the capability to connect to traditional relay services even in the event that the captioning service is not available.

➤ In the event that a user cannot reach the captioning center, and the user desires to use any form of available relay to connect their call, the user can dial 711 (user must dial only 711 and not a relay 800 number in order to change to VCO mode) and be connected to the in-state relay call center. Their call will be processed via VCO instead of captions. In VCO mode, no audio from the called party will be processed – just like any other traditional VCO call.

## Appendix H: Sprint TRS Standard Features Matrix

Mandatory Features	Description/Benefits	Cost
Answering Machine Retrieval	This feature allows Relay callers to retrieve their answering machine or voice-mail messages through the CA (Relay Agent, Relay Operator, Communication Assistant), referred to in this document as “CA”.	No Additional Cost
ASCII Split Screen	The feature enables an ASCII user to communicate with the Relay in full duplex mode. Similar to voice-to-voice conversation, it provides interrupt capability as appropriate for the ASCII user and the voice party.	No Additional Cost
Automated Number Identification (ANI) Technology	ANI is the telephone number of the line initiating a call. The number is identified by the switch and passed over the network to the CA workstation.	No Additional Cost
CA Typing Speed	Text transmission of 60 wpm.	No Additional Cost
CA 10-minute In-call replacement	CAs are required to stay with a TRS call for a minimum of 10 minutes and with a STS call for minimum of 15 minutes.	No Additional Cost
Caller ID	Caller ID featuring SS7 technology is used to deliver the ten digit phone number of the calling party, when not blocked through the LEC for local and toll calls.	No Additional Cost
Call Response Time	Call response time is measured from the time it takes the call to hit the CA position from the Relay Center call controller switch. Sprint will adhere to the State’s requirements regarding answer time.	No Additional Cost
Background Noises	During the call, TTY callers will be informed of background noises through CA’s tying in parenthesis.	No Additional Cost
Beepers and Pagers	Sprint provides functionally equivalent pager calls, which are made to beepers and pagers, interactively and non-interactively. Calls are relayed between interactive paging services and the Relay users. For non-interactive paging services, calls are made to leave specific numeric information to accomplish those calls.	No Additional Cost
Branding of Call Type - Temporary	This feature refers to the system’s ability to answer an incoming call based on the previous call in the caller’s communication mode (TTY, Voice, ASCII, VCO, HCO, Spanish, Turbo Code, Deaf-Blind).	No Additional Cost
Branding of Call Type – Permanent	This feature refers to the system’s ability to brand the caller’s preferred communication mode – TTY, Voice, ASCII, VCO, HCO, Spanish, Turbo Code, Deaf-Blind – permanently.	No Additional Cost
Carrier-of-Choice	This feature allows Relay callers to choose their preferred Carrier for interstate/international and in some cases intra-island calls.	No Additional Cost
Cellular/PCS Phone Access	Allows Relay Cellular customers to reach the Relay 800 number(s) to complete Relay calls.	No Additional Cost
Custom Calling Services	Through the Customer Database feature, this feature allows Relay callers to have traditional LEC services i.e. frequently called numbers.	No Additional Cost
Customer Database	Allows Relay callers to enter specific information in a profile i.e. Carrier-of-Choice, emergency numbers, last number redial, customer notes, frequently dialed numbers, etc. to expedite their call set-up time.	No Additional Cost

Mandatory Features	Description/Benefits	Cost
Name and Address	This information could save valuable time when calling emergency services.	No Additional Cost
Long Distance profile	Callers' preferred Carrier for in-State and out-of-state long distance calls. Callers can also indicate their preferred billing option when placing long distance calls.	No Additional Cost
Frequently Dialed Numbers	This feature allows users to set up and access "speed dial" calls through the Relay.	No Additional Cost
Outdial Information	This feature allows the CA to be aware as to how the caller answers the phone and which language type they will communicate in.	No Additional Cost
Customer Notes	This feature informs the CA of special requests to handle calls i.e. "do not announce the service", preferred CA gender, etc.	No Additional Cost
Outdial Restrictions	Callers may restrict the type of call i.e. long distance, international, 900, etc. to be placed through the Relay.	No Additional Cost
Emergency Numbers	Callers may enter emergency numbers such as fire, doctor, police, etc. to expedite the emergency call processing.	No Additional Cost
Customized 800 Access	Each State has dedicated Relay 800 numbers to access the Relay service.	No Additional Cost
Deaf-Blind Pacing (Slow-typing)	This feature provides functionality that automatically slows the transmission of data to Deaf-Blind users. The default speed is 15 wpm and the speed can be increased at the caller's request in 5-wpm increments.	No Additional Cost
Delayed Call Announcer	Sprint sends a delayed call announcer when the call is not answered within 30 seconds. The feature alerts Relay callers that they are on-line and on hold for next available CA.	No Additional Cost
Dialed Number Verification	This feature echoes the number being outdialed and the call type in the TTY Dial string macro. This feature helps TTY callers know if a number has been misdialled and the type of call they are placing.	No Additional Cost
Directory Assistance (Intrastate/Interstate)	This feature allows Relay callers to reach Directory Assistance at rates no greater than that of traditional voice users. When the number is obtained, the caller may choose to place the call through the Relay or dial direct.	No Additional Cost
Emergency Assistance	This service provides emergency assistance for Relay callers through Sprint's E911 database and/or their Customer Database profile.	No Additional Cost
Enhanced Modems	Sprint's TRS modems support enhancements in ASCII communication protocols. The capabilities of Sprint's modems include auto detection; connections with modems up to 14.4k; and faster ASCII detection (3 seconds).	No Additional Cost
Error Correction	Sprint Relay workstations are equipped with the Error Correction capability to automatically correct common typographical errors and spell out abbreviations, while increasing typing speed and reducing conversational minutes.	No Additional Cost
Gender ID	This feature provides the gender of CAs in the TTY greeting macro.	No Additional Cost

Mandatory Features	Description/Benefits	Cost
Hearing-Carry-Over (HCO)	HCO allows speech-disabled or mute users with normal hearing to listen to the person they are calling. The HCO user types his/her conversation for the CA to read and voice to the standard (voice) telephone user.	No Additional Cost
HCO-HCO	HCO users can contact HCO users through the Relay. The CA will voice to both parties what is typed on each user's TTY.	No Additional Cost
HCO Permanent Branding	The permanent branding enables HCO callers to listen during call set-up. The HCO brand greeting macro is: [STATE]RELAY 1234F YOU MAY HEAR VOICE OR USE TTY GA	No Additional Cost
HCO-TTY	HCO users can contact TTY users through the Relay. HCO users can listen while the CA is reading/voicing the TTY user's typed message. The HCO user types their conversation directly to the TTY user.	No Additional Cost
Voice-Carry-Over (VCO)	VCO allows Deaf or Hard-of-Hearing people who prefer to use their own voice to speak directly to the party they are calling. The CA types the voiced responses back to the VCO user who can read the typed messages across the TTY screen.	No Additional Cost
Two-line VCO	This feature allows VCO callers with two telephone lines to use one line to speak directly to the hearing person while the other line is used to receive the CA's typed responses simultaneously. Two-Line VCO offers a more natural flow of conversation without pauses required with single line calls.	No Additional Cost
Reverse 2-Line VCO	This feature is similar to Two-line VCO. In R2LVCO, a VCO user receives a call from a voice user first then dials/connects the Relay CA.	No Additional Cost
VCO-HCO	VCO users can contact HCO users through the Relay. The VCO user speaks directly to the HCO user and the HCO user types their conversation directly to the VCO user.	No Additional Cost
VCO-VCO	VCO users can contact other VCO users through the Relay. The CA listens to VCO users speak and type the spoken words for the parties at both ends.	No Additional Cost
VCO-TTY	VCO users can contact TTY users through the Relay. The VCO user can use his/her own voice and the CA will listen to the VCO caller's spoken words then type the message to the TTY user. The TTY user types directly to VCO user without any CA interaction.	No Additional Cost
VCO w/ Privacy/NO GA	This is similar to the standard VCO feature however; the CA will not hear the VCO caller speaking through the Relay. The CA will only type voiced responses back to the VCO user.	No Additional Cost
VCO Permanent Branding	This feature enables VCO callers to set-up the call without typing. The permanent VCO brand greeting macro would be: [STATE]RELAY 1234F VOICE (OR TYPE) NOW GA	No Additional Cost
Inbound International	From any international destinations outside of United States, callers can reach the Relay through Sprint's international inbound 10-digit number- 605-224-1837.	No Additional Cost
Intelligent Call Router	Dynamic Call Routing technology automatically and seamlessly routes Relay calls to the first available English or Spanish CA in the network.	No Additional Cost
Intercept Message	This feature provides intercept messages in voice and TTY in event of system failure occurrence within the Relay switch, Center, or outbound circuits.	No Additional Cost



Mandatory Features	Description/Benefits	Cost
Last Number Redial	Relay users can request the CA to redial their last number. Sprint TRS is designed to store the user's last number dialed and it is dialed upon the user's command, "LAST NUMBER REDIAL PLS GA" OR "LNR GA".	No Additional Cost
Local/Extended Area Service	Callers who subscribe to extended area service plans will receive equivalent service through the Relay.	No Additional Cost
Machine Recording Capabilities	This feature reduces redials when CAs receive audio-text interaction machines. In most cases, it allows the callers to receive all of the information on the first call and eliminates the number of redials.	No Additional Cost
Restricted 800/888/877/866/855	This feature allows Relay callers to reach regionally restricted or regionally directed 800/888/877/866/855 toll-free numbers.	No Additional Cost
Spanish-to-Spanish	Sprint offers Spanish Services, which offers Spanish-to-Spanish Relay service, which are handled by proficient bilingual (Spanish) CAs. Their workstations are modified to provide macros and other functions to the caller in Spanish.	No Additional Cost
Speech Disabled Indicator	The command "S" typed by a Speech-Disabled person would inform the CA that a Speech-Disabled person is on the line.	No Additional Cost
Speech-to-Speech	This service enables Speech-Disabled customers to use their voice, with assistance from CA if necessary, to communicate with each other through the Relay.	No Additional Cost
Text/Voice Transmission	This feature offers the ability to toggle between inbound TTY, ASCII, TurboCode™, and Voice calls.	No Additional Cost
Toll Discounts	When calls are carried over the Sprint network, intrastate calls are typically discounted by 35% Day, 25% Evening, and 10% Night/ Weekend off intrastate MTS rates and interstate calls are discounted by 50% off interstate MTS rate. State specific requirements may result in a change to the standard discounts.	No Additional Cost
Transfer Gate capabilities	Sprint's system has the capability of transferring Relay callers to English TTY Operator Service and Relay 24-hour Customer Service.	No Additional Cost
TRS Customer Service	Relay users can reach Sprint's TRS Customer Service, which is available 24 hours-a-day, 7 days-a-week to request information, or to offer commendations and submit complaints. The toll-free number is: 1-800-676-3777 TTY/Voice/ASCII/Spanish.	No Additional Cost
TTY Operator Services (OSD)	Sprint's TTY Operator services can complete TTY-to-TTY calls; obtain Directory Assistance information; or receive credit for erroneous billing. The toll-free number is: 1-800-855-4000.	No Additional Cost
TurboCode™	This feature allows enhanced baudot transmission speed up to 110 words-per-minute. It enables TTY callers with TurboCode™ capability to interrupt during the transmission of the call.	No Additional Cost
Variable Time Stamp Macro	This feature (macro) enables Relay callers to know when their called party had disconnected and relays the last spoken words.	No Additional Cost
Voice Call progression	This system upgrade allows Voice or HCO callers to listen during call set-up i.e. ringing, busy.	No Additional Cost
Voice Gender ID	This feature (macro) informs the outbound TTY caller the gender of their caller.	No Additional Cost

Mandatory Features	Description/Benefits	Cost
Pay-Per-Call	Sprint provides access to Pay-Per-Call Services (900) via a toll-free 900 number which observes LEC restrictions so that customers do not have to register blocks with the Relay.	No Additional Cost
7-1-1	With cooperation of Local Exchange Companies, the Relay can accept 711 calls.	No Additional Cost

## Appendix I: Policy on 10- and 15-Minute Rule

- Sprint understands that a change of CAs can interrupt the natural call flow. Therefore, Sprint strives to keep the same CA dedicated to each call. Sprint will ensure that the CA remains on the call for at least 10 minutes (or 15 minutes for Speech-to-Speech call). If a change of CA is unavoidable, CAs are trained to make this transition as smoothly as possible and will inform both parties.
- A CA change may occur for the following reasons:
  - Customer requests change of CA
  - End user verbal abuse of CA or obscenity towards CA
  - The call requires a specialist (Speech to Speech, another language)
  - Illness
  - Potential conflict of interest (i.e. the CA identifies an end user as a family member or friend)
- In instances where it is necessary to change CAs, a second CA will plug in their headset at the position and watch the call for several minutes in order to assess the “spirit” of the call and make the transition smoother. After several minutes of observation, the second CA will wait until the voice person stops speaking and all conversation has been relayed and will then type to the TTY user:

(CA# CONTINUING UR CALL).

- The CA will say to the non-TTY user:

“THIS IS CA # CONTINUING YOUR CALL.”

- During initial training, trainees are required to practice this procedure. In addition, a training video was developed that clearly shows the procedure and how to ensure it is as smooth as possible.



## Appendix J: FCC TRS Mandatory Minimum Standards & Compliance Matrix

FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
Provision of Services		
§ 64.603	<p>Each common carrier providing telephone voice transmission services shall provide, not later than July 26, 1993, in compliance with the regulations prescribed therein, throughout the area in which it offers services, telecommunications relay services, individually, through designees, through a competitively selected vendor, or in concert with other carriers.</p> <p>Speech-to-speech relay service shall be provided by March 1, 2001.</p> <p>Interstate Spanish language relay service shall be provided by March 1, 2001.</p> <p>In addition, not later than October 1, 2001, access via the 711 dialing code to all relay services as a toll free call.</p>	<p>Sprint has been a TRS provider since September 1, 1990. As of July 1, 2004, Sprint provides TRS to 32 States, the Federal Government, Common wealth of Puerto Rico, and three resellers.</p> <p>Sprint was the first TRS provider to offer Speech-to-speech relay service (California, 1996).</p> <p>Sprint was the first TRS provider to offer intrastate and interstate Spanish services (Texas, 1991). As a standard offering of TRS, Sprint provides Spanish services to the States. Sprint also is the only TRS provider to offer Spanish-speaking Customer Service.</p> <p>Sprint fully implemented 711 accesses for all of its States on October 1, 2001. Sprint Local and wireless divisions have implemented 711 access on September 15, 2001.</p>
Operational Standards		
§ 64.604 A.1	<p>Communications Assistant (CA) Competency Skills</p> <p>CAs are to be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities.</p> <p>CAs must be competent skills in typing, grammar, spelling, and interpretation of typewritten ASL, familiarity with hearing and speech disability cultures, languages, and etiquette.</p> <p>Typing Speed - 60 WPM with technological aids</p> <p>Oral-to-type tests</p>	<p>Sprint requires that all CAs have a high school graduate equivalency as a minimum qualification for the job.</p> <p>All CAs are tested and evaluated to ensure Relay skills meet the following FCC Guidelines. CA training provides familiarity with hearing, deaf, and Speech-Disabled cultures and ASL translation.</p> <p>Each Sprint CA is required to take the 60 WPM typing test quarterly (four times a year).</p> <p>Sprint administers Oral-to-type tests.</p>

FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
	VRS 'qualified' Interpreters	Sprint VRS interpreters are qualified interpreters that adhere to RID Code of Ethics.
§ 64.604 A.2	<p>Confidentiality &amp; Conversation Context</p> <p>CAs are prohibited from disclosing the content of any relayed conversation regardless of content</p> <p>Certain exceptions are provided for Speech-to-Speech calls.</p> <p>CAs are prohibited from intentionally altering a relayed conversation and must relay all conversation verbatim unless specifically requested to do otherwise</p>	<p>CAs are trained and evaluated to ensure all aspects of confidentiality are maintained and conversational context is properly provided.</p> <p>Sprint CAs are prohibited from disclosing any call content.</p> <p>STS CAs are permitted to retain info from a call in order to facilitate the completion of consecutive subsequent calls.</p> <p>CAs relay calls verbatim and do not alter relayed conversation.</p> <p>During the annual merit reviews, each CA reviews the confidentiality and code of ethics with his/her team supervisor.</p>
§ 64.604 A.3	<p>Types of Calls</p> <p>CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services.</p> <p>TRS shall be capable of handling any type of call normally provided by common carriers.</p>	<p>CAs process all calls and never prohibit sequential calls or limit length of calls.</p> <p>Sprint TRS is capable of handling all call types normally provided by common carriers</p>
§ 64.604 A.4	<p>Handling of Emergency Calls</p> <p>Providers must use a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to an appropriate PSAP.</p> <p>A CA must pass along the caller's number to the PSAP when a caller disconnects before being connected to emergency services.</p>	<p>Via E911 database, Sprint automatically and immediately connects the caller to an appropriate PSAP.</p> <p>CAs pass along the caller's number to the PSAP when the caller disconnects prior to be connected to the emergency service.</p>
§ 64.604 A.5	<p>In-call Replacement of CAs</p> <p>CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of 10</p>	<p>TRS and VRS CAs stay on the call for a minimum of 10 minutes.</p>

FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
	<p>minutes.</p> <p>STS CAs - 15 minutes.</p>	<p>STS CAs stay on the call for a minimum of 15 minutes.</p>
<p>§ 64.604 A.6</p>	<p><b>CA Gender Preferences</b></p> <p>TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if a transfer occurs, at the time the call is transferred to another CA.</p>	<p>Sprint users are able to request the gender of the CA. Sprint makes every effort to satisfy this request and to maintain the same gender during transfers.</p>
<p>§ 64.604 A.7</p>	<p><b>STS Called Numbers</b></p> <p>STS users must be provided the option to maintain a list of names and phone numbers that the STS user calls. When the STS user requests one of these names, the CA must repeat it and state the phone number to the STS user.</p> <p>This information must be transferred to any new provider.</p>	<p>Sprint offers STS users the option of maintaining a list of names and phone numbers. When the STS user requests a name, the STS CA will repeat the name and the number to user.</p> <p>Sprint will provide the STS user information to any new provider.</p>
<b>Technical Standards</b>		
<p>§ 64.604 B.1</p>	<p><b>ASCII &amp; Baudot</b></p> <p>TRS shall be capable of communicating with ASCII &amp; Baudot format at any speed generally in use.</p>	<p>Sprint TRS communicates with Baudot and ASCII in all speeds that are generally in use.</p> <p>The following Baudot codes are available on Sprint TRS' platform: Baudot 45.5, Baudot 50, Turbo Code, and E Turbo Code.</p>
<p>§ 64.604 B.2</p>	<p><b>Speed of Answer</b></p> <p>TRS shall include adequate staffing to ensure 85% of all calls answered within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold.</p> <p>Abandoned calls shall be included in the speed-of-answer calculation.</p> <p>Speed of Answer is to be measured on a daily basis.</p> <p>The system shall be designed to a P.01 standard.</p>	<p>Sprint ensures that 85% of all calls are answered within 10 seconds and that caller's calls are immediately placed. Sprint does not put calls in a queue or on hold.</p> <p>Abandoned calls are included in the speed-of-answer calculation.</p> <p>Speed of Answer is measured on a daily basis.</p> <p>Sprint's system is designed to the P.01 standards.</p>

FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
§ 64.604 B.3	<p>Equal Access to IXCs</p> <p>TRS users shall have access to their chosen IXC carrier through the TRS and to all other operator services, to the same extent that such access is provided to voice users.</p>	<p>Sprint provides users with access to their IXC carrier through the Sprint Carrier of Choice program allowing for the same access that is provided to voice users.</p>
§ 64.604 B.4	<p>TRS Facilities</p> <p>TRS shall operate everyday, 24 hours a day.</p> <p>TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.</p> <p>Adequate network facilities shall be used in conjunction with TRS.</p>	<p>Sprint TRS is available 24 hours a day, everyday.</p> <p>Sprint has redundancy features that provide functional equivalency, including uninterruptible power for emergency use.</p> <p>Sprint's network facilities are sufficient to ensure that the probability of a busy response due to loop trunk congestion is functionally equivalent to what a voice caller would experience.</p>
§ 64.604 B.5	<p>Technology</p> <p>No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecomm to people with disabilities.</p> <p>VCO &amp; HCO technology are required to be standard features of TRS.</p>	<p>Sprint is the nation's leader in the development and offering of technological features for TRS. Sprint has introduced over fifty key product enhancements including Split Screen ASCII, Customer Database, Turbo Code, E Turbo Code/Dial Through, Gated VCO, Voice call progression.</p> <p>Sprint provides VCO and HCO technology as standard features as well as several variations on these technologies.</p>
§ 64.604 B.6	<p>Voicemail &amp; Interactive Menus</p> <p>CAs must alert the TRS user to the presence of a recorded message &amp; interactive menu thru a hot key on the CA's terminal.</p> <p>TRS providers shall electronically capture recorded messages &amp; retain them for the length of the call, &amp; may not impose any charges for additional calls that must be made by the user in order to complete</p>	<p>CAs keep the user informed and notify of the presence of recorded messages and interactive menus. CA positions have hot key functionality that electronically capture recorded messages and retain them for the length of the call.</p> <p>Sprint does not charge for any additional calls necessary to complete call involving recorded or interactive menus.</p>

FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
	calls involving recorded or interactive messages.  TRS will handle pay-per-calls.	Sprint was the first provider to process pay-per-calls (Texas, 1996).
<b>Functional Standards</b>		
§ 64.604 C.1	<p><b>Consumer Complaint Logs</b></p> <p>States must maintain a log of complaints including all complaints about TRS to include minimum include the date the complaint was filed, the nature of the complaint, the date of resolution and an explanation of the resolution.</p> <p>States &amp; TRS providers shall submit to the FCC by July 1 of each year, summaries of logs indicating the number of complaints received for the 12-month period ending May 31.</p>	<p>Sprint maintains a log of all complaints. The log includes all of the required fields including the date, the nature, the date of resolution, and the explanation of resolution.</p> <p>Sprint provides summaries of the logs, which indicate the number of complaints received for a 12-month period ending May 31<sup>st</sup>.</p> <p>Sprint has submitted annual summary of Consumer Complaints log report:</p> <p>June 1, 2002-May 31, 2003 June 1, 2003-May 31, 2004 June 1, 2004-May 31, 2005 June 1, 2005-May 31, 2006 June 1, 2006-May 31, 2007</p>
§ 64.604 C.2	<p><b>Contact Persons</b></p> <p>States must submit to the FCC a contact person or office for TRS consumer information and complaints about intrastate TRS.</p>	Sprint provides full support, including a primary point-of-contact, to contract administrators to meet FCC requirements.
§ 64.604 C.3	<p><b>Public Access to Info</b></p> <p>Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions, in phone directories, DA services, &amp; incorporation of TTY numbers in phone directories, shall assure that callers are aware of all forms of TRS.</p>	Sprint follows all FCC requirements for public access to information and publishes in directories, brochures and billing inserts, instructions for TRS including 711 access in phone directories, DA services and the incorporation of TTY numbers in phone directories to assure that callers are aware of all forms of

FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
	<p>Conduct ongoing education and outreach programs to publicize availability of 711 access.</p>	<p>TRS.</p> <p>Sprint regularly provides 711 dialing information in its education and outreach programs.</p>
<p>§ 64.604 C.4</p>	<p><b>Rates</b></p> <p>TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination.</p>	<p>Sprint TRS users pay rates no greater than the rates paid for functionally equivalent voice communication services.</p>
<p>§ 64.604 C.5</p>	<p><b>Jurisdictional Separation of Costs</b></p> <p>(i) General, where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set for in the Commission's regulations</p> <p>(ii) Cost recovery, Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism</p> <p>(iii) Telecommunications Relay Services Fund - To be administered by the National Exchange Carrier Association, Inc. (NECA)</p>	<p>(i) Sprint follows FCC requirements in the jurisdictional separation of costs.</p> <p>(ii) Interstate TRS is recovered from all subscribers for every interstate service utilizing the shared-funding cost recovery mechanism.</p> <p>(iii) Sprint works with NECA for reimbursement of interstate minutes.</p>
<p>§ 64.604 C.6</p>	<p><b>Complaints</b></p> <p>(i) Referral of complaint,</p> <p>(ii) Intrastate complaint resolution,</p> <p>(iii) Jurisdiction of Commission,</p> <p>(iv) Interstate complaint resolution,</p> <p>(v) Complaint Procedures</p>	<p>The Sprint TRS Customer Contact process is fully compliant with all FCC Requirements.</p>

FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
§ 64.604 C.7	Treatment of TRS Customer Info  Future contacts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service, and shall not be sold, distributed, shared or revealed in any other way by the relay provider or its employees, unless compelled to do so by lawful order.	Sprint transfers TRS customer profile data to incoming TRS vendors. The data is provided in usable form at least 60 days prior to the last day of service and is not sold, distributed, shared or revealed in any other way by Sprint, or Sprint employees.
§ 64.605	State Certification  Per FCC's Public Notice on TRS State Re-certification released 5/1/02, the FCC requests an application be submitted through State's Office of the Governor or other delegated executive office empowered to provide TRS.	Sprint provides each Sprint TRS state a re-certification packet and assists in the re-certification process.
Availability of SS7 Technology to TRS Facilities	Concluded that TRS providers should have access to SS7 or similar technology to make Caller ID and other benefits available and facilitate provision of TRS. (§16)	Sprint's SS7 platform supports Caller ID services.  Sprint complies with all FCC rules pertaining Caller ID and call blocking services.
Transmittal of Calling Party Information	Concluded that TRS providers are required to observe FCC's rules pertaining to Caller ID and call blocking services. (§22)  Concluded that when a TRS facility is able to transmit any identifying information to the network, the TRS facility must pass through, to the called party, the number of TRS facility, 711, or, if possible, the 10-digit number of the calling party. The identifying information passed through the TRS facility to the called party is to be determined by the TRS Provider.(§25)	Sprint's SS7 platform transmits the 10-digit number for local and toll calls. Sprint's SS7 platform also will recognize the ID blocking indicators.
Types of Calls	Concluded that the following call types are adopted as mandatory minimum standards of TRS.  Two Line VCO Two Line HCO HCO-to-TTY HCO-to-HCO VCO-to-TTY	Sprint has provided the VCO and HCO calling combinations since 1996.



FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
	<p>VCO-to-VCO</p> <p>This requirement is waived for Internet Relay and Video Relay Services through December 31, 2007. (§36)</p>	
Handling of Emergency Calls	<p>Required that all TRS facilities be able to pass emergency callers to the appropriate PSAP within twelve months of publication of this Order in the Federal Register (8/24/03). (§42)</p> <p>This requirement has been waived for Internet Relay and Video Relay Services. (under separate Orders for SRO and VRS)</p>	Sprint immediately connects emergency callers to an "appropriate" PSAP as defined by the FCC.
Answering Machine Message Retrieval	<p>This feature allows a TTY user to retrieve voice messages left on his or her voice mailbox or voice answering machine by an incoming call from a third party.</p> <p>Concluded that the answering machine retrieval to be provided on interstate and intrastate basis by 8/24/03. (§62)</p>	Sprint has provided the Answering Machine Retrieval since 1996.
Call Release	<p>Call release allows a CA to set up a TTY-to-TTY call that once set up does not require the CA to relay the relay the conversation.</p> <p>Ruled that once the CA signs off, or be "released," after the two TTY parties are connected, at this point, the call ceases to be a TRS call subject to the per-minute reimbursement." (§68)</p> <p>This requirement is waived for Internet Relay and Video Relay Services.(§76)</p>	<p>Sprint has provided the Call Release feature since 2003.</p> <p>Once a call is "released" from the CA workstation, the call is no longer a relay call and accordingly will not be charged to the state customer.</p>
Speed Dialing	<p>Speed dialing allows users to manually store a list of telephone numbers with designated speed dialing codes in the TRS user's consumer profile.</p> <p>This requirement is waived for Internet Relay and Video Relay Services.(§76)</p>	Sprint has provided Speed Dialing or Frequent Dialed Numbers feature since September 1, 1996.

FCC Order Ref. 90- 571	FCC Requirement	Sprint's Commitment
Three-way Calling	<p>Three-way calling feature is generally arranged in one of two ways. (§73)</p> <p>1. The TRS consumer may request that the CA set up the call with two other parties</p> <p>or;</p> <p>2. The second way is to set up a three-way call is for TRS user to connect to two telephone lines at the same time from his or her premises by using the telephone's switch hook (or "flash") button.</p> <p>This requirement is waived for Internet Relay and Video Relay Services. (§76)</p>	<p>Sprint has supported three-way calling capabilities, from the customer's premises, since September 1, 1995.</p>

## Appendix K: FCC CapTel Mandatory Minimum Standards & Compliance Matrix

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
Provision of Services			
§ 64.603	<p>Each common carrier providing telephone voice transmission services shall provide, not later than July 26, 1993, in compliance with the regulations prescribed therein, throughout the area in which it offers services, telecommunications relay services, individually, through designees, through a competitively selected vendor, or in concert with other carriers.</p> <p>Speech-to-speech relay service shall be provided by March 1, 2001.</p> <p>Interstate Spanish language relay service shall be provided by March 1, 2001.</p> <p>In addition, not later than October 1, 2001, access via the 711 dialing code to all relay services as a toll free call.</p>	<p>The Communications Act defines TRS as "telephone transmission services that provide the ability for an individual who has hearing or speech impairment to engage in communication by wire or radio with a hearing individual in a manner that is functionally equivalent to the ability of an individual who does not have a hearing impairment or speech impairment to communicate using voice communication services by wire or radio." Since TRS calls handled via captioned telephone VCO service fall squarely within this definition - i.e. they allow communications between persons with hearing or speech disabilities and persons without such disabilities - we conclude that captioned telephone VCO service falls within statutory definition of TRS. (¶7)</p>	<p>Sprint has been a CapTel provider, on trial basis, since May 1, 2002. On January 1, 2004, Sprint successfully converted CapTel trial into a FCC-complaint CapTel service, first -ever in the TRS Industry.</p> <p>Speech-to-speech relay service for CapTel is waived by FCC. See Section 64.604 A.3.</p> <p>Sprint is also the first CapTel provider to offer intrastate and interstate Spanish services on January 1, 2004.</p> <p>Sprint is able to process inbound 711 calls to include access to CapTel services.</p>

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
Operational Standards			
§ 64.604 A.1	<p>Communications Assistant (CA) Competency Skills</p> <p>CAs are to be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities.</p> <p>CAs must have competent skills in typing, grammar, spelling, and interpretation of typewritten ASL, familiarity with hearing and speech disability cultures, languages, and etiquette.</p> <p>Typing Speed - 60 WPM with technological aids</p> <p>Oral-to-type tests</p>	<p>Requirement applies.</p> <p>Use of CapTel's voice recognition software "is a permissible means ...for achieving the CA's competency skills required by the TRS mandatory minimum standards" (§139).</p> <p>Waived. Interpreting typed ASL is not applicable.</p> <p>Use of voice recognition technology in the provision of CapTel VCO service "is a permissible means for ... enhancing transmission speed..." (§139)</p> <p>Waived. Permits use of Oral-to-text tests instead.</p>	<p>Sprint requires that all CapTel CAs have a high school graduate equivalency as a minimum qualification for the job.</p> <p>All CapTel CAs are tested and competent in typing, grammar, and spelling to ensure skills meet the following FCC Guidelines. CapTel CA training provides familiarity with hearing, deaf, and Speech-Disabled cultures.</p> <p>A captioned telephone user does not type in making a call, therefore is never the opportunity for the CA to have to interpret typewritten ASL</p> <p>CapTel's voice recognition technology transmits above 100 WPM.</p> <p>Oral to text tests are given to all CapTel CAs</p>
§ 64.604 A.2	<p>Confidentiality &amp; Conversation Context</p> <p>CAs are prohibited from disclosing the content of any relayed conversation regardless of content.</p> <p>CAs are prohibited from intentionally altering a relayed conversation and must relay all conversation verbatim unless specifically requested to do otherwise.</p>	<p>Requirement applies.</p> <p>Requirement applies.</p>	<p>CapTel CAs are trained and evaluated to ensure all aspects of confidentiality are maintained and conversational context is properly provided.</p> <p>CapTel CAs are prohibited from intentionally altering a relayed conversation and will relay all conversation verbatim.</p>

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
§ 64.604 A.3	<p>Types of Calls</p> <p>CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services.</p> <p>TRS shall be capable of handling any type of call normally provided by common carriers and can decline calls if credit card authorization is denied.</p>	<p>Waived for outbound calls (§ 46) because the CapTel CA is not involved in call set up and cannot refuse the call (§46)</p> <p>Not waived for inbound calls to a CapTel user made through a TRS facility. However, if call is made directly to the captioned telephone access number no set up is involved and the CapTel CA cannot refuse to call (§46).</p> <p>Requirement applies.</p> <p>Note: The requirement to provide 711 dialing is waived for outbound calls made from a CapTel phone. Inbound 711 calling waived for one year (8/1/03 - 7/31/04).</p> <p>Also STS and HCO are waived (§29).</p>	<p>CapTel users dial sequential calls directly therefore there is no way for a CapTel CA to refuse sequential calls or limit length of calls.</p> <p>CapTel will not refuse single or sequential inbound calls or limit the length of calls utilizing the service. If an inbound call is made to a captioned telephone user via the captioned telephone access number, set-up is automatic, and thus there is no way for a CA to refuse the call.</p> <p>CapTel is capable of handling all call types normally provided by common carriers.</p>
§ 64.604 A.4	<p>Handling of Emergency Calls</p> <p>Providers must use a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to the nearest PSAP.</p> <p>A CA must pass along the caller's number to the PSAP when a caller disconnects before being connected to emergency services.</p>	<p>Requirement applies.</p> <p>Requirement applies.</p>	<p>CapTel user dials 9-1-1. Sprint will route the call directly to the most appropriate PSAP.</p> <p>The 911 PSAP center will receive the caller's Automated Number Identification and Automated Locator Identification. If the call is disconnected, the 911 center will call the CapTel user back.</p>

FCC 03-112 Appendix D Final Rules		FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
§ 64.604 A.5	In-call Replacement of CAs  CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of 10 minutes.		Requirement applies.	CapTel CAs stay on all calls for a minimum of 10 minutes.
§ 64.604 A.6	CA Gender Preferences  TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if a transfer occurs, at the time the call is transferred to another CA.		Waived. (§ 36, 47-48).	
§ 64.604 A.7	STS Called Numbers  STS users must be provided the option to maintain a list of names and phone numbers that the STS user calls. When the STS user requests one of these names, the CA must repeat it and state the phone number to the STS user.  This information must be transferred to any new provider.		Waived. (§29)	
Technical Standards				
§ 64.604 B.1	ASCII & Baudot  TRS shall be capable of communicating with ASCII & Baudot format at any speed generally in use.		Waived. (§53-54)	

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
§ 64.604 B.2	<p>Speed of Answer</p> <p>TRS shall include adequate staffing to ensure 85% of all calls answered within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold.</p> <p>Abandoned calls shall be included in the speed-of-answer calculation.</p> <p>Speed of Answer is to be measured on a daily basis.</p> <p>The system shall be designed to a P.01 standard.</p>	<p>Requirement applies</p> <p>Requirement applies.</p> <p>Requirement applies.</p>	<p>Sprint CapTel ensures that 85% of all calls are answered within 10 seconds and that caller's calls are immediately placed. Sprint does not put calls in a queue or on hold.</p> <p>Abandoned calls are included in the speed-of-answer calculation.</p> <p>Sprint CapTel system is designed to a P.01 standard or greater measured on a daily basis.</p>
§ 64.604 B.3	<p>Equal Access to IXC's</p> <p>TRS users shall have access to their chosen IXC carrier through the TRS and to all other operator services, to the same extent that such access is provided to voice users.</p>	<p>Requirement applies.</p>	<p>CapTel users will be able to choose their IXC carrier through the CapTel Carrier of Choice program allowing for the same access that is provided to voice users.</p>

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
§ 64.604 B.4	<p>TRS Facilities</p> <p>TRS shall operate everyday, 24 hours a day.</p> <p>TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.</p> <p>Adequate network facilities shall be used in conjunction with TRS.</p>	<p>FCC noted that CapTel is not a mandated service but stated that CapTel is a form of enhanced VCO service. It allowed interstate reimbursement from the Interstate TRS Fund. For a provider to be eligible for reimbursement from the Interstate TRS Fund for the provision of TRS, the provider must either meet the mandatory minimum standards or request and receive waivers of the standards. (§ 22, 24)</p> <p>State TRS programs, of course, are free to offer this service and to reimburse providers of intrastate captioned telephone VCO service. (§ 22).</p>	<p>Sprint CapTel is available 24 hours a day, everyday.</p> <p>Sprint CapTel has redundancy features that provide functional equivalency, including uninterruptible power for emergency use.</p> <p>Sprint CapTel network facilities are sufficient to ensure that the probability of a busy response due to loop trunk congestion is functionally equivalent to what a voice caller would experience.</p>
§ 64.604 B.5	<p>Technology</p> <p>No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecomm to people with disabilities.</p> <p>VCO &amp; HCO technology are required to be standard features of TRS.</p>	<p>FCC acknowledged that CapTel is an enhanced VCO service of TRS (§ 44).</p> <p>Waived for HCO. (§ 29)</p>	<p>Sprint is the nation's leader in the development and offering of technological features for TRS.</p>



FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
<p>§ 64.604 B.6</p>	<p>Voicemail &amp; Interactive Menus</p> <p>CAs must alert the TRS user to the presence of a recorded message &amp; interactive menu thru a hot key on the CA's terminal.</p> <p>TRS providers shall electronically capture recorded messages &amp; retain them for the length of the call, &amp; may not impose any charges for additional calls that must be made by the user in order to complete calls involving recorded or interactive messages.</p> <p>TRS will handle pay-per-calls.</p>	<p>Requirement applies.</p> <p>Requirement applies.</p>	<p>CapTel user both hears and interacts directly with the recorded message and makes the selections as requested by the interactive menu. The CapTel user is alerted to the presence of a recording by hearing the recording and seeing the captions of the recording as the message is played.</p> <p>CapTel users can replay messages as required until the message is both heard and read as captions. The user can stay on the line as long as desired until the message is heard in its entirety or replayed. This is requested by the user directly. The CapTel user interacts with the recorded message system directly. This is treated as one call.</p> <p>Sprint CapTel supports pay-per-call call types.</p>
Functional Standards			

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
§ 64.604 C.1	<p>Consumer Complaint Logs</p> <p>States must maintain a log of complaints including all complaints about TRS to include minimum include the date the complaint was filed, the nature of the complaint, the date of resolution and an explanation of the resolution.</p> <p>States &amp; TRS providers shall submit to the FCC by July 1 of each year, summaries of logs indicating the number of complaints received for the 12-month period ending May 31.</p>	Requirement applies.	<p>Sprint CapTel maintains a log of all complaints. The log includes all of the required fields including the date, the nature, the date of resolution, and the explanation of resolution.</p> <p>Sprint CapTel provides summaries of the logs, which indicate the number of complaints received for a 12-month period ending May 31<sup>st</sup>.</p>
§ 64.604 C.2	<p>Contact Persons</p> <p>States must submit to the FCC a contact person or office for TRS consumer information and complaints about intrastate TRS.</p>	Requirement applies.	Sprint CapTel provides full support, including a primary point-of-contact, to contract administrators to meet FCC requirements.
§ 64.604 C.3	<p>Public Access to Info</p> <p>Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions, in phone directories, DA services, &amp; incorporation of TTY numbers in phone directories, shall assure that callers are aware of all forms of TRS.</p> <p>Conduct ongoing education and outreach programs to publicize availability of 711 access.</p>	Requirement applies.	Sprint follows all FCC requirements for public access to information and publishes in directories, brochures and billing inserts, instructions for TRS including 711 access in phone directories, DA services and the incorporation of TTY numbers in phone directories to assure that callers are aware of all forms of TRS.

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
§ 64.604 C.4	<p>Rates</p> <p>TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination.</p>	Requirement applies.	CapTel users pay rates no greater than the rates paid for functionally equivalent voice communication services.
§ 64.604 C.5	<p>Jurisdictional Separation of Costs</p> <p>(i) General, where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set for in the Commission's regulations</p> <p>(ii) Cost recovery, Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism</p> <p>(iii) Telecommunications Relay Services Fund - To be administered by the National Exchange Carrier Association, Inc. (NECA)</p>	Requirement applies.	<p>(i) Sprint follows FCC requirements in the jurisdictional separation of costs.</p> <p>(ii) Interstate CapTel is recovered from all subscribers of interstate services</p> <p>(iii) Sprint works with NECA for reimbursement of interstate minutes.</p>

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
§ 64.604 C.6	<p>Complaints</p> <p>(i) Referral of complaint,</p> <p>(ii) Intrastate complaint resolution,</p> <p>(iii) Jurisdiction of Commission,</p> <p>(iv) Interstate complaint resolution,</p> <p>(v) Complaint Procedures</p>	Requirement applies.	The Sprint CapTel Customer Contact process is fully compliant with all FCC Requirements.
§ 64.604 C.7	<p>Treatment of TRS Customer Info</p> <p>Future contacts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service, and shall not be sold, distributed, shared or revealed in any other way by the relay provider or its employees, unless compelled to do so by lawful order.</p>	Requirement applies.	Sprint transfers CapTel customer data to incoming CapTel vendors. Customer information that is normally contained in a TRS profile is not required for CapTel as the CA is anonymous to the call and the CapTel user talks directly to the called party. The data is provided in usable form at least 60 days prior to the last day of service and is not sold, distributed, shared or revealed in any other way by Sprint, or Sprint employees unless Sprint is compelled by legal process to provide such information.
§ 64.605	<p>State Certification</p> <p>Per FCC's Public Notice on TRS State Re-certification released 5/1/02, the FCC requests an application be submitted through State's Office of the Governor or other delegated executive office empowered to provide TRS.</p>	Requirement applies.	Sprint provides each Sprint TRS state a re-certification packet and assists in the re-certification process.

Availability of SS7 Technology to TRS Facilities	Concluded that if a TRS provider is able to transmit any calling party identifying information to the network, it must provide Caller ID service.	Requirement applies.	<p>Sprint CapTel will have the capability to transmit the 10-digit number and will recognize the ID blocking indicators.</p> <p>Sprint CapTel will deliver the SS7 technology on February 1, 2004.</p>
Types of Calls	<p>Two Line VCO</p> <p>Two Line HCO</p> <p>HCO-to-TTY</p> <p>HCO-to-HCO</p> <p>VCO-to-TTY</p> <p>VCO-to-VCO</p>	<p>Minimum standards pertaining to HCO are waived.</p> <p>VCO requirements still apply.</p>	Sprint CapTel supports the VCO calling combinations.
Handling of Emergency Calls	Concluded that TRS providers must use a system for incoming emergency TRS calls that at a minimum, automatically and immediately transfers the caller to an appropriate Public Safety Answering Point.	Requirement applies.	CapTel user dials 9-1-1. Sprint will route the call <u>directly</u> to the most appropriate PSAP.
Answering Machine Retrieval	<p>Concluded that the answering machine and voice mail retrieval are TRS features that must be provided to TRS users.</p> <p>Answering machine retrieval through TRS is accomplished when the recipient of the message, the TRS user, calls the TRS facility and has the CA listen to the voice messages.</p>	The requirement was not addressed in the Declaratory Ruling.	<p>Answering machine and voicemail retrieval is provided by CapTel.</p> <p>Answering machine retrieval through CapTel is accomplished when the CapTel facility caption the voice message to the CapTel users.</p>

FCC 03-112 Appendix D Final Rules		FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
Call Release	<p>Concluded that call release is required under FCC's functional equivalency mandate.</p> <p>Call release allows a CA to set up a TTY-to-TTY call that once set up does not require the CA to relay the conversation. The feature allows CA to sign-off or be "released" from the telephone line without, triggering a disconnection between two TTY users, after the CA connects the originating TTY caller to the called party's TTY through e.g. a business switchboard.</p>	Waived. (¶ 52)	
Speed Dialing	<p>Concluded that speed dialing feature is required under FCC's equivalency mandate.</p> <p>Speed dialing allows users to manually store a list of telephone numbers with designated speed dialing codes in the TRS user's consumer profile.</p>	The requirement was not addressed in the Declaratory ruling.	CapTel telephones have the Speed Dial feature.

FCC 03-112 Appendix D Final Rules	FCC Requirement	FCC CapTel Declaratory Ruling (FCC 03-190)	Sprint's Commitment
Three-way Calling	<p>Concluded that three-way calling is required under FCC's functional equivalency mandate but did not specifically mandate the way such functionality had to provide.</p> <p>The FCC's Order imposing such requirement stated that "generally" three-way calling can be provided "in one of two ways " One way is for the TRS consumer to request that the CA set up the call with two other parties.</p> <p>The second way is to set up a three-way call is for TRS user to connect to two telephone lines at the same time from his or her premises by using the telephone's switch hook (or "flash") button.</p>	The requirement was not addressed in the Declaratory Ruling.	<p>Sprint CapTel users will be able to participate a three way call. Although the person using the captioned phone is unable to establish the three-way call, the called party will be able to do so by utilizing telephone switch hook (or "flash") button on his or her CPE. Thus, Sprint CapTel meets the requirement for three-way calling. (For One-Line CapTel.) For Two-Line CapTel either party can initiate a 3 way call should the user purchased this as a LEC option.</p> <p>Sprint CapTel users will be able to participate in a conference bridge to speak to three or more individuals.</p>

## Appendix L: Sprint's Report to the FCC on VRS and IP Waivers

### FCC Internet and Video Relay Service Annual Progress Report April 16, 2007

Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
1. STS	Waived through 1/1/08	STS is not possible over the internet. Voice over IP (VoIP) <b>**REQUIRES**</b> Quality of Service. QoS means that all the associated data packets arrive in one contiguous stream and in order. In the "internet" world, there are many segments owned by multiple providers using dis-similar routers. Some support QoS, some do not. There is, at this time, no universal, cooperative methodology to address the internet deficiencies.	In research and development stage. Sprint is investigating and evaluating several VoIP to determine acceptable QoS levels to support STS calls. Sprint is also investigating LAN/WAN systems where QoS can be controlled internally.	Waived Indefinitely; No report required	NA	NA
2. Spanish Relay	NA	NA	NA	Compensable but non-mandated service.	NA	Sprint provides ASL to Spanish Video Relay Service.
3. Types of Calls	NA	NA	NA	Waived through 1/1/08	Voice over IP (VoIP) requires Quality of Service. QoS means that all the associated	We are currently providing two-line VCO and HCO controlled at



Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
					<p>data packets arrive in one contiguous stream and in order.</p> <p>In the "internet" world, there are many segments owned by multiple providers using dis-similar routers. Some support QoS, some do not. The internet cannot be controlled by any single user. There is, at this time, no universal, cooperative methodology to address the internet deficiencies.</p> <p>Sprint offers alternatives VCO and HCO solution by using second line (analog line) where the Video Interpreter asks for a second number to call back using three-way call feature. The procedure is similar to two-line VCO or HCO call.</p>	<p>the agent position using IP or ISDN inbound from Video user and outbound POT S to Video User and outbound POTS to Voice user. One line VCO and HCO began in 2005. This is limited to certain types of end user appliances that allow voice access through the broadband connection at end user equipment.</p>
4. Emergency Call Handling	Waived through 1/1/08	Internet Protocol network (IP network) does not support the Automated	Sprint implemented a "manual" (directory assistance	Waived through 1/1/07	Internet Protocol network (IP network) does not support the Automated	No additional information to submit beyond our recent

Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
		Number Identification information for Internet or Video Relay Services. Without automated knowledge of the originated location of the call, Sprint is not in position to transfer 911 calls to an appropriate PSAP.	lookup) process for 911 calls through Internet Relay. The technical challenge remains of tying an exact location to an IP address. No additional development has been made that would allow Internet Relay users to place 911 calls through Internet Relay.		Number Identification information for Internet or Video Relay Services. Without automated knowledge of the originated location of the call, Sprint is not in position to transfer 911 calls to an appropriate PSAP.	submission to the FCC. Current options may restrict interoperability. An Emergency database is still in use today for subscribers who choose to register a profile; however, agents must verify the location of the caller, as the caller may not be at the same physical location as the profile indicates.
5. Speed of Answer	NA	NA	NA	1/1/07- 80% of all calls within 120 seconds (monthly).	Sprint is exceeding the 80/120 service level requirement that went into effect January 1, 2007.	Sprint will continue to meet the requirement measured on a monthly basis.
6. Equal Access to Interexchange Carrier	Waived Indefinitely; No report required	NA	NA	Waived through 1/1/08	The IP network does not support ANI and end-user billing mechanisms. Without automated knowledge of ANI location, and without an ANI to charge back for tolls calls, Sprint cannot support equal access to	The technical challenge remains of tying an exact location to an IP address for VRS users. However, the very nature of the internet makes billing for toll calls obsolete.

Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
					interexchange carrier features for Video Relay Service.	
7. Pay-per-call (900) Service	Waived through 1/1/08	IP network does not support ANI and end-user billing mechanisms. Without automated knowledge of ANI location, and no ANI to charge back for a pay-per-service call, Sprint is not processing 900 calls.	The technical challenge remains of tying an exact location and billing of pay-per-call. No additional development has been made that would allow Internet Relay end users to be billed for pay-per-call services.	Waived through 1/1/08	IP network does not support ANI and end-user billing mechanisms. Without automated knowledge of ANI location, and no ANI to charge back for a pay-per-service call, Sprint is not processing 900 calls.	The technical challenge remains of tying an exact location and billing of pay-per-call. No additional development has been made that would allow Video Relay end users to be billed for pay-per-call services.
8. Voice Carry Over (VCO) (one-line)	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint is investigating and evaluating several VoIP alternatives to determine acceptable QoS levels to support Voice carry-over calls. Sprint is also investigating LAN/WAN systems where QoS can be controlled internally.	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint is currently providing two-line VCO controlled at the agent position using IP or ISDN inbound from Video user and outbound POT S to Video User and outbound POTS to Voice user. One line VCO, released in 2005, is limited to certain types of end user appliances that allow voice access through the broadband

Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
						connection at end user equipment.
9. Hearing Carry Over (HCO) (one-line)	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint is investigating and evaluating several VoIP alternatives to determine acceptable QoS levels to support Hearing carry-over calls. Sprint is also investigating LAN/WAN systems where QoS can be controlled internally.	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint is currently providing two-line HCO controlled at the agent position using IP or ISDN inbound from Video user and outbound POT S to Video User and outbound POTS to Voice user. One line HCO, released in 2005, is limited to certain types of end user appliances that allow voice access through the broadband connection at end user equipment.
10. VCO – to - TTY	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint's Internet Relay Service is not designed to connect an inbound internet caller with the called party who uses TTY user or VCO as communication between internet and	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint's Video Relay Service is not designed to connect an inbound video caller with the called party with uses voice, TTY user, VCO, HCO or anything other than video

Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
			baudot protocols are not compatible.			because. the videoconferencing via internet or ISDN protocols are not compatible.
11. HCO – t o- TTY	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint's Internet Relay Service is not designed to connect an inbound internet caller with the called party who uses TTY user or HCO as communication between internet and baudot protocols are not compatible.	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint's Video Relay Service is not designed to connect an inbound video caller with the called party with uses voice, TTY user, VCO, HCO or anything other than video because videoconferencing via internet or ISDN protocols are not compatible.
12. VCO – to – VCO	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint's Internet Relay Service is not designed to connect an inbound internet caller with the called party who uses TTY user or VCO as communication between internet and baudot protocols are not	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint's Video Relay Service is not designed to connect an inbound video caller with the called party with uses voice, TTY user, VCO, HCO or anything other than video because videoconferencing via internet or

Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
			compatible.			ISDN protocols are not compatible.
13. HCO – to – HCO	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint's Internet Relay Service is not designed to connect an inbound internet caller with the called party who uses TTY user or HCO as communication between internet and baudot protocols are not compatible.	Waived through 1/1/08	As explained in number three above, voice quality over the internet is not universally effective at this time.	Sprint's Video Relay Service is not designed to connect an inbound video caller with the called party with uses voice, TTY user, VCO, HCO or anything other than video because videoconferencing via internet or ISDN protocols are not compatible.
14. Call Release	Waived through 1/1/08	An Internet Relay caller utilizes IP data to place an inbound call. The Call operator connects the outbound dialing voice call utilizing Signaling System 7 (SS7). Since these two types of calls are not compatible, the call release feature is not technically feasible.	It is not technically feasible at this time to provide call release features with Internet Relay calls. However, Sprint will continue to investigate new developments to allow Internet Relay customers to use this feature.	Waived through 1/1/08	A VRS customer utilizes a video connection to make an inbound call. The VRS operator utilizes a voice channel (SS7) to make an outbound dial. Because the two types of calls are not compatible, the call release feature is not technically feasible. Also, in the VRS environment, we are currently unable to remove the Video Interpreter	It is not technically feasible at this time to provide call release features with Video Relay calls. However, Sprint will continue to investigate new developments to allow Video Relay customers to use this feature.

Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
					agent from the middle of the call when the inbound video caller reaches an outbound customer who also has video capability.	
15. 3-way Calling	Waived through 1/1/08	The current Internet Relay call environment does not support the capability to perform three-way calling initiated call from agent via Sprint IP.	It is possible for the customer to initiate a three-way call if he/she has conference calling capability. In this case, the operator does not needed to perform the three-way calling function. However, the limitation is that Sprint's Internet Relay Service will handle only one TTY user (and unlimited number of voice users) when using three-way calling via relay service. It is possible to have 2-Line VCO via Sprint IP using user-initiated three-way calling.	Waived through 1/1/08	At this time, it is not technically feasible to provide a 3-way Video Relay call. Customers using VRS do not have the web-enabled ability to initiate 3-way video calls because of the limitations of end user equipment. Features of customer premise equipment are not under the control of the VRS provider, and therefore the VRS provider cannot control the establishment of a three-way call.	The voice customer is currently able to use the LEC-provided three-way calling feature. One or two of the three legs of the call can be engaged as they would without VRS being a part of the call. VRS is transparent to this process. The VRS agent who receives an inbound video connection has the ability to out dial to multiple voice parties to create a three-way call of which two parts are voice and one part is video. The VRS agent platform is however, unable to support a three way call



Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
						between two video customers and one voice user at this time.
16. Speed Dialing	Waived through 1/1/08	Sprint's current Speed Dial system is supported by ANI driven customer profile. Without being able to identify the customer's ANI, Sprint is not able to access the preferred speed dial list.	Customers can maintain their own speed dial list on their computer and paste the phone number on the web prior to the call. The phone number will be pre-populated to agent's dialing window for efficient call processing.	Waived through 1/1/08	This service is currently available for VRS customers who choose to use our webcam based product. They can create a speed dial list online and greatly improve the efficiency and connect time with the outbound party through the Video Interpreter. Individuals using TV-based videophones do not have this web enabled ability to speed dial through VRS because of the limitations of this type of end user equipment. Features of customer premise equipment are beyond the control of the VRS provider and determine how the customer can interact with Sprint's platform.	Individuals using TV-based videophones do not have this web-enabled ability to speed dial through VRS because of the limitations of this type of end user equipment. Features of customer premise equipment are beyond the control of the VRS provider and determine how the customer can interact with Sprint's platform.

Waivers	IP Regulatory Status	IP Current Technology Issue/Limitations	Progress and Steps Taken to Meet the Requirement	VRS Regulatory Status	VRS Current Technology Issue/Limitations	Progress and Steps Taken to Meet the requirement
17. Providing Service 24/7	NA	NA	NA	NA	NA	NA

## Appendix M: Sprint Relay Fact Sheet

### Sprint Relay

[www.sprintrelay.com](http://www.sprintrelay.com)

Sprint is the leading provider of relay services in the United States so that those who are deaf and hard of hearing can have anytime, anywhere communications. With 16 years of experience in providing Telecommunications Relay Services (TRS), Sprint is the relay service provider for 31 states plus the Commonwealth of Puerto Rico, New Zealand and the federal government. Sprint has been awarded the following state TRS contracts:

<b>Alabama</b>	<b>Indiana</b>	<b>New Mexico</b>	<b>Texas</b>
<b>Alaska</b>	<b>Illinois</b>	<b>New York</b>	<b>Utah</b>
<b>Arkansas</b>	<b>Massachusetts</b>	<b>North Carolina</b>	<b>Vermont</b>
<b>California</b>	<b>Minnesota</b>	<b>North Dakota</b>	<b>Washington</b>
<b>Colorado</b>	<b>Mississippi</b>	<b>Ohio</b>	
<b>Connecticut</b>	<b>Missouri</b>	<b>Oklahoma</b>	
<b>Delaware</b>	<b>Nevada</b>	<b>Oregon</b>	
<b>Florida</b>	<b>New Hampshire</b>	<b>South Carolina</b>	
<b>Hawaii</b>	<b>New Jersey</b>	<b>South Dakota</b>	

TRS enables standard voice telephone users to talk to people who are Deaf, Hard of Hearing or Speech-disabled on the telephone. Under Title IV of the Americans with Disabilities Act, all telephone companies must provide free relay services either directly or through state programs throughout the 50 states, the District of Columbia, Puerto Rico and all of the U.S. territories. Sprint Relay's experience in the field provides the assurance that all services delivered will meet or exceed Federal Communications Commission mandates for TRS.

### Sprint Relay Services

**Traditional relay services** involve a relay operator serving as an intermediary for phone calls between a deaf, hard of hearing and speech-disabled user and a hearing party. The TRS operator speaks words typed by a deaf user on a text telephone (TTY) or via the Internet and relays the hearing person's spoken response by typing back to the deaf user.

### **Emerging Technology:**

Under the Americans with Disabilities, all telephone companies are required to pay a percentage of the money that they collect from their subscribers into a national telecommunications relay services fund. This interstate fund is administered by NECA (National Exchange Carriers Association).

Currently, two technologies are funded through NECA – video and Internet relay services. There is strong competition in the TRS industry due to the fact that no state contract is required in any state to process calls through the Internet.

**Video relay services (VRS)** provides American Sign Language (ASL) users with an attractive alternative that offers them the opportunity to communicate by video conferencing using ASL their native language, which may be preferred over the traditional TTY relay service. VRS requires users to have a personal computer or television monitor, a Web camera or videophone and high-speed Internet connectivity such as cable and DSL. Sprint Video Relay, powered by CSD (Communication Services for the Deaf), is a free service through the Internet that enables the deaf or hard of hearing user to communicate in ASL to a hearing or standard telephone user. Sprint Relay and CSD launched the first nationwide Video Relay Service in May 2002. To connect with a video interpreter, visit [www.sprintvrs.com](http://www.sprintvrs.com).

**Sprint IP Relay** is also a free service that combines TRS with the ease and ubiquity of the Internet, allowing users to make calls from any PC or selected Web-enabled Internet wireless devices without having to use traditional TTY equipment. Sprint IP Relay users also have the flexibility of using AOL Instant Messenger to access Sprint IP Relay. To connect using a website, go to [www.sprintip.com](http://www.sprintip.com). To connect using AOL Instant Messenger, send a 10-digit number to the screen name **SprintIP**. Both access methods will connect the caller to an experienced Sprint Relay operator.

**Sprint IP Wireless Relay** is a new service that allows customers who are deaf, hard-of-hearing or who have a speech disability to use wireless relay services on a select number of wireless devices:

- 1) BlackBerry phones (with an operating system 4.0 or higher). Customers can use this service to communicate with any standard or mobile telephone user in the United States via a free downloadable application at [www.sprintrelay.com/download/](http://www.sprintrelay.com/download/). Users simply select a contact from their address book or enter a phone number with accompanying text instructions to a Sprint IP Relay Operator.
- 2) PPC6700 devices – To download the free Sprint IP Wireless application, go to: [www.sprintrelay.com/download/treo](http://www.sprintrelay.com/download/treo).

Sprint IP Wireless allows users to have the mobility to make a relay call when they need to without a TTY or computer and can be assured the connection is with an experienced Sprint Relay operator.

**CapTel<sup>SM</sup>** (Captioned Telephone) relay service is a leading-edge technology developed by Ultratec, Inc. of Madison, Wis., that allows people to receive both voice and text captioning, nearly simultaneously. A special, *CapTel*-equipped phone is required in order to place a call through the *CapTel* relay service. The *CapTel* phone works like any traditional phone with callers talking and listening to each other, but with one very significant difference – captions are provided live for every call. The captions are displayed on the *CapTel* phone's built-in screen so the user can read the words while listening to the voice of the other party. For more information on CapTel, visit [www.captionedtelephone.com](http://www.captionedtelephone.com).

**Relay Conference Captioning<sup>SM</sup>**, developed by Caption Colorado, combines real-time captioning and standard relay service to provide relay conference captioning calls for deaf and hard-of-hearing individuals (in participating Sprint Relay state programs). By using an Internet Text Streaming platform supported by skilled captionists, RCC provides highly accurate real-time captioned text for any live conference call.

**For more information, please visit [www.sprintrelay.com](http://www.sprintrelay.com)**

## Appendix N: Copy of TSP Press Release

### Media Contact:

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General Press Release

### **Sprint Completes Voluntary Telecommunications Services Priority Program Enrollment for Relay Network**

**OVERLAND PARK, Kan. – November xx, 2005** – Sprint (NYSE: S) today announces that it has completed the final milestone in enrolling Sprint's telecommunications relay service (TRS) in the FCC's Telecommunications Service Priority (TSP) Program. Sprint TRS, communications services available for individuals who are deaf, hard of hearing or have a speech disability, is comprised of a network of call centers geographically disbursed throughout the United States.

Effective October 31, 2005, all 14 Sprint Relay call centers were successfully activated under the TSP Program. Unlike other TRS providers, Sprint's TRS network is designed to reroute traffic to other Sprint Relay centers across the country to continue uninterrupted service with minimal customer impact.

"In less than five months, we were able to complete the implementation of the FCC's TSP program," said Mike Ligas, director of Sprint Relay. "Sprint is dedicated to providing effective communications services for individuals who are deaf or hard of hearing and we recognized the urgency to ensure reliable communications during emergency situations."

In 1988, TSP program was established to prioritize the restoration of telephone service to critical facilities and agencies at times when telecommunications companies are typically overburdened with service requests, such as after a natural disaster. In the event of a regional or national crisis, the program restores telephone services most critical to national and homeland security on a priority basis.

### **Sprint Relay Portfolio of Services**

Sprint has 15 years of experience in providing relay services to persons who are deaf, hard of hearing or deaf-blind or who have a speech disability to communicate with hearing persons on the phone. Sprint offers relay services through an intelligent platform to the federal government, 30 states, the Commonwealth of Puerto Rico and New Zealand. Sprint's experience in the field provides the assurance that all Sprint Relay services will meet or exceed Federal Communications Commission requirements for telecommunications relay services (TRS). Relay service is available 24 hours a day, 365 days a year, with no restrictions on the number of calls placed or call length. For more information, visit [www.sprintrelay.com](http://www.sprintrelay.com).

Sprint Government Systems Division ([www.sprint.com/government](http://www.sprint.com/government)) is based in Reston, Va., and offers the full range of Sprint product and service offerings for federal and state government customers.

### **About Sprint Nextel**

Sprint Nextel offers a comprehensive range of wireless and wireline communications services to consumer, business and government customers. Sprint Nextel is widely recognized for developing, engineering and deploying innovative technologies, including two robust wireless networks offering industry leading mobile data services; instant national and international walkie-talkie capabilities; and an award-winning and global Tier 1 Internet backbone. For more information, visit [www.sprint.com](http://www.sprint.com).



## Appendix O: TRS Information in Telephone Directories

### 3. On Individual Customer Listings:

If the customer requests, print “TTY” by the customer’s listing.

If possible, on the top or bottom of each page with the notation, print the following reference:

\*TTY See page \_\_\_\_\_. (With the page reference to the Relay North Dakota Content Page)

### 4. Under Emergency 911 at the beginning of the directory, print “TTY Users 911” or “Emergency Services for TTY Users 911.”

This is to clarify that TTY users are also supposed to call 911.

**North Dakota Relay Web Site: [www.relaynorthdakota.com](http://www.relaynorthdakota.com)**

» 800.366.6888 or 711:TTY	» 800.366.6889 or 711:Voice	» 800.435.8590 or 711:Spanish
» 900.230.5151 : 900 Services		» 877.366.3709 : Speech To Speech
» ND Video Relay Service	» Sprint-Relay	» CapTel™

**CapTel™ (Captioned Telephone)**

Don't miss another word from friends and family again. CapTel™ provided by Sprint and developed by Ultratec, Inc. captures spoken text and displays it on your CapTel™ phone.

- Hear and see what the other caller is saying within the text captions on the phone
- Read the captions to see a few words you may not hear, or read the entire conversation
- Your CapTel™ phone works like a regular voice phone too, so it's easy for everyone to use

Visit the [CapTel™](#) page to discover more about the benefits of CapTel™ and how to subscribe to the new service.

## Relay North Dakota in Telephone Directories

1. On the Table of Contents Page (Not under local phone service heading, but its own topic listing, in descending order of importance):

- a) "Relay North Dakota/For communication between hearing, deaf, hard-of-hearing, and speech impaired persons," with the page number reference to the Relay North Dakota content page;
- b) Toll-Free Relay North Dakota Numbers: 711 (Voice/TTY/ASCII); 1-800-366-6888 (TTY/ASCII); 1-800-366-6889 (Voice); 1-800-435-8590 (Spanish); 1-877-366-3709 (Speech to Speech);
- c) the Relay North Dakota logo.

2. On the Relay North Dakota Content Page (in descending order of importance):

- a) Relay North Dakota/For Communication Between Hearing, Deaf, Hard-of-Hearing, and Speech Impaired Persons
- b) Toll Free Relay North Dakota Numbers:
  - 711 (Voice/TTY/ASCII)
  - 1-800-366-6888 (TTY)
  - 1-800-366-6889 (Voice)
  - 1-800-435-8590 (Spanish)
  - 1-877-366-3709 (Speech to Speech)
  - 1-800-676-3777 (Sprint Relay Customer Service)
  - (Voice/TTY/ASCII/Spanish)
- c) For 900 services through Relay North Dakota: 1-900-230-5151 (Voice/TTY/ASCII/Spanish)
- d) the Relay North Dakota logo
- e) What is Relay Service?

Hearing persons and businesses who wish to talk with persons who are deaf, hard-of-hearing, or have a speech impairment may use the telecommunications relay service to call them. Relay service also provides full telephone accessibility to people who are deaf, hard-of-hearing, or speech impaired. Specially trained operators confidentially complete relay calls and stay on the line to relay conversations electronically over a text telephone (TTY) or verbally between the callers. If you place a call and hear a series of high-pitched sounds, it may be a TTY. You can call Relay North Dakota and give the operator the phone number to complete your call. There is no additional charge to users for using relay service (although long distance charges apply for long distance calls).

Information Technology Department contracted with Sprint to provide telephone relay service in North Dakota. This service, known as Relay North Dakota, is available 24 hours a day, 365 days a year, with no restrictions on the number of calls placed or on their length. This valuable communications tool gives all individuals who are deaf, hard-of-hearing, or speech impaired the opportunity to make personal and business calls just like any other telephone user. It also gives hearing persons the ability to telephone persons who are deaf, hard-of-hearing, or speech impaired. Both TTY and voice users may initiate calls through Relay North Dakota.

f) Confidentiality

Calls handled by Relay North Dakota are strictly confidential. All calls will be kept private, and no records of any conversation will be kept. Operators will not share information regarding the contents of any relay call.

g) Equipment Distribution Program

The equipment distribution program is a program that assists deaf, hard-of-hearing, and speech impaired persons who meet the qualifications of the program to purchase specialized telecommunications equipment they need to use the telephone. North Dakota Telecommunication Equipment Distribution Program (TEDP) is managed by the Freedom Resource Center, which is contracted by the State of North Dakota Vocational Rehabilitation on behalf of the Information Technology Department. Call Freedom at 1-800-450-0459 or (218) 236-0459 (Voice/TTY) for more information.

h) Helpful Tips for Using Relay North Dakota

**Standard Telephone (Voice) Users.** If you want to make a call, dial 711 or 1-800-366-6889. Relay North Dakota will answer with the operator's individual ID number, and ask; "May I have the number you are calling please?" (If you dial 711 and hear tones, stay on the line and an operator will answer shortly.) Give the operator the area code and telephone number you wish to call and any further instructions. The operator will relay exactly what the TTY user is typing. The operator will relay what you say back to the TTY user. (Be sure to talk directly to the person you called, avoid saying "tell him" or "tell her," and say "Go Ahead" at the end of each response.) Whenever you receive a call from Relay North Dakota, the operator will ask you if you are familiar with the service. If not, a brief explanation of the relay service will be given. The call will then proceed as a direct conversation between you and the other party. Speak directly to the party you are calling as if the operator were absent.

**TTY Users.** Dial 711 or 1-800-366-6888. Relay North Dakota will answer with the operator's individual ID number, "F" or "M" (for CA gender) and "NUMBER CALLING PLS GA." ("GA" means "go ahead.") Type in the area code and telephone number you wish to call and then type "GA." The operator will dial the number and relay the conversation to and from your TTY. Type in "GA" at the end of each message.

**Voice Carry Over (VCO) Users.** VCO allows deaf or hard of hearing relay users who prefer to use their own voice to speak directly to the party they are calling. The operator will type

the voiced response so the caller does not miss anything. Inform the operator you want to use VCO by typing "VCO PLS GA."

i) Emergency/Directory Assistance

In case of emergency, TTY users should call 911. All 911 centers in North Dakota are required to be TTY-equipped. Relay North Dakota will relay directory assistance calls between TTY users and a directory assistance operator. Once the caller makes the request, the relay operator will connect to the directory assistance operator. After obtaining the number, the caller may choose to place the call through Relay North Dakota or dial it directly TTY to TTY.

j) Other Services Available Through Relay North Dakota

Sprint Relay Customer Service is available to answer questions about relay calls, other services available through Relay North Dakota, or to receive customer suggestions, comments and complaints. Customer Service can also provide Relay North Dakota brochures or any other additional relay information to customers. Call 1-800-676-3777.



*Simply Dial...*

**711**

or

800-366-6889 - Voice

800-366-6888 - TTY/ASCII

800-435-8590 - Spanish

877-366-3709 - Speech to Speech

*...to access Relay North Dakota.*

## 2. BILL INSERT

### To Use **Relay North Dakota** From Anywhere In The State, **Dial 711.**

*Every day across North Dakota, thousands of people rely on Relay North Dakota to keep in touch by telephone. Relay North Dakota, a public service offered by Information Technology Department, enables telephone communication between people who are hearing, deaf, hard-of-hearing and speech impaired.*

**As of August 1, 2001, you can dial 711 to use Relay North Dakota from anywhere in the State.**

How does Relay North Dakota work? Relay North Dakota allows people who are deaf, hard of hearing, or speech impaired to communicate by telephone, and allows hearing people to call people who are deaf, hard of hearing, or speech impaired. Specially trained operators relay the conversation between the deaf, hard-of-hearing, or speech impaired person and the other person on the line. All calls are handled with strictest confidentiality. This specially trained operator helps conversations flow accurately and with ease. There is no limit on the number of times you may use the service. It is available around the clock, 365 days per year.

If you answer the phone and Relay North Dakota is on the line, please don't hang up. With your existing phone system and Relay North Dakota, you could be communicating with family, friends and a world of customers, too.

You may still use Relay North Dakota by dialing the 800 number you already know. But beginning August 1, 2001, when you call from anywhere in the State, you may also use our simple new number: **711.**

To learn more about Relay North Dakota  
and 711, call or visit our web  
800-676-3777  
(Relay North Dakota Customer Service)  
[www.relaynorthdakota.co](http://www.relaynorthdakota.co)



## 2. BILL INSERT

**AT Key Newsletter**  
**June 2006** **Vol. 11 No.3**

**Remaining at Home...Priceless  
Revisited**

*Judie Lee, IPAT Director*

It is widely recognized that people with long term illnesses and/or disabilities who wish to remain living at home need various types of support. Providers and users of assistive technology (AT) consider AT one of these essential support services and yet realize it is NOT widely recognized. Thus, the potential impact of AT devices and services goes unrecognized. In 2003, an opportunity to partner in a project funded by Olmstead dollars presented itself. IPAT's role was to ensure a systematic exploration and delivery of assistive technology (AT) devices and services for state residents who were at risk of moving to an institution and/or those living in institutions wishing to move to a less restrictive environment.

It was a unique opportunity. Not only would individuals receive an AT assessment, they would receive the devices if the cost was within a specified dollar amount. In addition they would receive the other AT services necessary to use the device, such as equipment set-up and training. Twenty North Dakota residents participated in the program. These individuals represented 10 communities, ranged in age from their mid-thirties to mid-eighties, and had a variety of AT needs. They all had a number of services in place, but were still struggling to remain at home. The provision of AT devices and services had NOT been considered as part of their service plan prior to this project, and yet it was one of the decisive factors in making remaining home possible for them.

Over a year later, 17 of the 20 people served are still in their own homes. They have delayed, and will possibly avoid, entering an institutional setting. They continue to live with their families, are more independent and safe as a result of the AT devices and services received through this project. One individual moved away from North Dakota. Two of the individuals passed away approximately one year after receiving their AT devices and services. Their family members stressed what a difference the assistive technology made, especially in helping them to stay home the last months of their life.

The average cost of a participant to receive the assistive technology devices and services necessary to help them remain living at home through this project was \$1,233. The average yearly cost for an individual to reside in a nursing home in North Dakota is \$43,815 and \$19,726 for assisted living care. The outcome report titled "Remaining at Home... Priceless" gives more details and some anecdotal accounts of the participants. A free copy is available by calling 1-800-265-4728.



This project demonstrated that when the assistive technology provision is part of the service delivery plan, it can delay or eliminate institutional or other high-cost placements. This in turn, enables people of all ages with disabilities or long term illnesses to have a choice as to where they live, which everyone can agree is PRICELESS.

### Could you benefit from a CapTel Phone?

Information obtained from the CapTel Website:

[www.captionedtelephone.com](http://www.captionedtelephone.com) and [www.northdakotarelay.com](http://www.northdakotarelay.com).

CapTel phones allow the user to **hear** and **see** what someone is saying! CapTel phone users can listen to the caller while they read the written captions in the CapTel phone's display window.

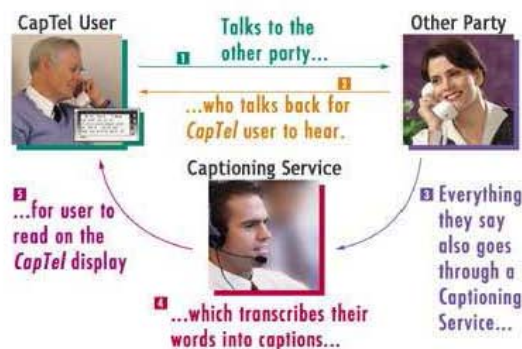
### How does the CapTel Phone Work?

"When you place a call with a CapTel phone, the captioning service is connected automatically to provide captions. You just dial the phone number of the person you want to call, and the call will be captioned."

"Behind the scenes, a specially trained operator at the captioning service transcribes everything the other party says into written text, using the very latest in voice-recognition technology. The written text appears on a bright, easy-to-read display window built into the **CapTel** phone. The captions appear almost simultaneously with the spoken word, allowing the **CapTel** phone users to understand everything that is said — either by hearing it or by reading it."



"To receive a call, your caller must first dial the toll free number of the captioning service through [Relay North Dakota] and then enter your phone number. You



will get captions through any call that is placed through the Captioning Service. If your caller dials you directly, the call will not be captioned. "Call Me" cards that list the toll free captioning service number are included with the CapTel phone. You can give the "Call Me" cards to people who call you frequently."

**How does the CapTel Phone compare to a Voice Carry Over (VCO) Phone?**

“CapTel phone users can simultaneously hear the voice over the phone and read captions of what is said. Current VCO technology allows only voice or text on the line at one time and does not allow the VCO user to hear the voice of the other party.”

**Who Benefits from a CapTel Phone?**

- Anyone with some degree of hearing loss, who finds it difficult to understand telephone conversations
- People using hearing aids or assistive listening devices
- People who are deaf or hard of hearing and can speak

**Is there a charge for the Captioning Services from North Dakota Relay?**

There is no charge for the captioning service; however, when making long distance calls from a CapTel phone there is a charge just as there would be if you used a standard telephone. If you want the Captioning Service to bill the long distance company of your choice, you will need to call them and set that up, just as you would if you used a Text Telephone (TTY) or Voice Carry Over (VCO) Phone.

**How do I get a CapTel Phone?**

The CapTel Phone is now offered at no cost to eligible participants as part of the North Dakota Telecommunications Equipment Distribution Services (TEDS) which is currently run through the Interagency Program for Assistive Technology (IPAT). To see if you qualify, call IPAT at 1-800-265-4728. The forms for the TEDS program are also available at the IPAT website: [www.ndipat.org](http://www.ndipat.org).

**To find out more information regarding CapTel, the Captioning Service, or Relay North Dakota see the following:**

- CapTel website: [www.captionedtelephone.com](http://www.captionedtelephone.com)
  - CapTel Phone numbers: 1 (888) 269-7477 OR 1 (800) 482-2424
  - Captioning Service phone numbers: 1(888) 269-7477 VOICE OR 1(800) 482-2424 TTY
  - ND Relay website: [www.relaynorthdakota.com](http://www.relaynorthdakota.com)
  - ND Relay Phone Number: 711
-



## **CONSUMER CONNECTION**

### **COME PLAY ~July 14 -16, 2006 ~ Bismarck – Mandan**

The 20<sup>th</sup> annual Prairie Rose State Games (PRSG) extends a special invitation to you! Come play if you live in North Dakota, South Dakota, Canada or a city bordering North Dakota. Come play if you are a former resident of North Dakota. Your participation is welcome as an athlete, an athlete with physical challenges, spectator, or volunteer.

The PRSG provides an opportunity for the greater North Dakota community to gather in the spirit of friendly competition in 48 sports over 3 days. Individuals are welcome to participate in any sport, or compete in the physically challenged divisions within archery, bowling, 5K road race and track and field. Non-competitive events are also offered and include; family fishing, kite flying, recreational bike-ride, skate jam, and volksmarch. To register or to get additional information go to [www.prairierose.org](http://www.prairierose.org) or call 1-701-222-4263 and ask for Sarah.

In the spirit of fun and increased sport awareness there will be kite flying, skate boarding, and remote-controlled aircraft demonstrations. All sport competitions and demonstrations are open and free to spectators.

The PRSG also provides ample opportunity for volunteerism. Volunteers are needed for all sporting events to help at registration, time events, hand out water at event stations, or organize awards for event winners. Opportunities are also available at the Opening Ceremonies or at the Games headquarters located in the Kirkwood Mall. The success of the Prairie Rose State Games is dependent on the help and hard work of its volunteers. If you wish to be one, call Sarah at 1-701-222-4263. All volunteers will receive a 20<sup>th</sup> anniversary PRSG t-shirt.

### **Great Year for the AT Expo 2006!**

Here's to the attendees, vendors, presenters, sponsors, and the AT Expo Committee who together made the AT Expo 2006 a huge success! The third annual AT Expo was held on April 13, 2006 at the Ramada Plaza Suites in Fargo, North Dakota, and brought in over 50 vendors and 460 attendees - a 50% increase over last year in both categories! The participants spent the morning in a variety of AT presentations, enjoyed a joint luncheon with the Fargo/Moorhead Area Mayor's Committee Awards Banquet, and explored the AT Expo Exhibit Hall from 1-7 pm. There were many positive comments about the Expo and numerous requests to hold another in 2007. The Committee is working to make that a reality! Stay Tuned. . . .

## EQUIPMENT SPOTLIGHT



### Finger Mouse

This computer mouse has a three button design with a trackball. It can be operated on or off a table, thereby, reducing fatigue and stress to muscles and joints. The thumb mouse connects to a desktop or a laptop computer through the USB port or PS/2 adaptor. Simply plug and play. This device retails for \$20-\$25. Visit the following websites to purchase this computer mouse:

- <http://www.pcconnection.com> or call 1-888-800-0323;
- <http://www.fentek-ind.com/fingermouse.htm> or call 1-800-639-0710.

If you would like to try this device, contact the IPAT Equipment Loan Library at 1-800-895-4728.

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### For Your Information

**Anne Carlson Center's  
TechnoCamp – Adapting the Arts Using Technology  
Elk's Camp Grassick**  
July 9-14, 2006

**Addressing Challenging Behaviors Using Visual Supports**  
August 14 & 15, 2006  
Contact: Theresa Hanson 1-800-568-5175 ext. 169

**2<sup>nd</sup> Annual Dakota Disabilities Issues Forum**  
August 23 & 24, 2006 - Bismarck  
Contact: Brenda or Jim 701-223-0347

**Appendix R: Copy of Annual Report or Other**

April 12, 2007

Tony Clark, President  
Public Service Commission  
600 East Boulevard  
Bismarck, ND 58505

RE: TELECOMMUNICATIONS RELAY SERVICE

The Information Technology Department (ITD) is submitting the following budget for the telecommunications relay service as required by NDCC 54-44.8-08. This budget information will assist the Public Service Commission in determining the amount of surcharge for the time period July 1, 2007 to June 30, 2008.

FISCAL YEAR '07-'08

REVENUE:

Estimated Balance June 30, 2007	\$ 335,743	
720,000 Access Lines/Numbers		
x 4 cents x 12 months x 95%	<u>\$ 328,320</u>	
TOTAL REVENUE		\$ 664,063

EXPENSES:

Relay Service Contract	\$ 247,000	
Department of Human Services	\$ 125,000	
(Equipment Distribution)		
Outreach Program	\$ 50,000	
ITD Administrative Expense	<u>\$ 5,000</u>	
TOTAL EXPENSES		<u>\$ 427,000</u>
ESTIMATED BALANCE JUNE 30, 2008		<u>\$ 237,063</u>

The local exchange companies and radio communications service providers are allowed to keep 5% of the surcharge collected from their customers. Quarterly payments are made to ITD in the month following each quarter. We currently are collecting the surcharge from 720,000 telephone access lines and radio communications access numbers. Attached is a detail list by access provider.

Tony Clark, President

Page 2 of 2

April 12, 2007

Following are averages the amounts charged to ND on December, 2006 provided by Sprint:

Number of Minutes of Service Compensation	21,849
Number of Calls into Relay Service	7,555
Number of Minutes Per Outbound Call	3.49

The Department of Human Services is responsible for the equipment distribution program. The amount requested from ITD for the upcoming fiscal year will be \$125,000 as stated above.

ITD recommends keeping the rate at 4 cents per access line. We try to stabilize the relay service rate from period to period, so the local exchange companies and radio communications service providers will not be forced to change their billing from year to year. This has been a request from the providers in the past.

If you have any questions, please give me a call at 328-1001.

Sincerely,

Mike J. Ressler, Director  
Information Technology Department

MJR/jg

attachment:

## Appendix S: Copy of Relay Brochures or Other Advertisements

**RELAY NORTH DAKOTA**

**Traditional Relay**

- 800-366-6888 TTY/Voice
- 800-366-6889 Voice
- 800-435-8590 Spanish
- 800-366-8600 VCO
- 877-366-3709 Speech-to-Speech
- 900-230-5151 900 Services

Customer is responsible for billing in full.

**Internet Relay**

- www.sprintip.com

**Video Relay Services**

- www.ndvrs.com Internet
- sprintvrs.lv TV & videophone
- 866-660-7977 ISDN (up to 3043)
- 866-410-5787 Voice

**Sprint Relay Customer Service**

- 800-676-3777 English
- 800-676-4290 Español
- SprintTRSCutServ@mail.sprint.com email

**Relay North Dakota website**

- www.relaynorthdakota.com

**For more information contact:**

- State of North Dakota Information Technology Department
- 600 East Boulevard
- Bismarck, ND 58105-0100
- 701-328-2300 Voice
- 701-328-2000 Fax

**friendly and reliable**

**communication the way you want it.**

**RELAY NORTH DAKOTA**

**Sprint Relay Customer Service**

- 800-676-3777 English
- 800-676-4290 Español
- SprintTRSCutServ@mail.sprint.com email

- Get questions answered
- Receive relay call assistance
- Make a complaint
- Request printed information or presentations

**Relay equipment**

**North Dakota Telecommunications Equipment Distribution Service**

Provides free specialized telecommunications equipment for individuals who are deaf, hard of hearing, deaf blind, or have a speech disability.

**To qualify you must:**

- meet income requirements
- be a North Dakota resident age 5 or over
- have difficulty using the telephone because you are deaf, hard of hearing, deaf blind, or have a speech disability
- have applied for or have phone service in your home
- are certified by a physician, audiologist, hearing instrument specialist, or speech pathologist as unable to use a telephone readily purchased from a retail store

**Contact:**

- Emergency Program for Assistive Technology (EPAT)
- 200 Interstate Blvd, Fargo, ND 58103
- 701-325-4837 VTTY
- 800-254-7210 VTY
- caw@epata.com

**RELAY NORTH DAKOTA**

**dial 711 to make a relay call**

**easy and dependable**

**TTY Users**

**711 or direct dial 800-366-6888**

- A person who is deaf, deaf blind, hard of hearing, or has a speech disability uses a TTY to type his/her conversation.
- A CA reads the typed conversation to a hearing person.
- The CA relays the hearing person's spoken words by typing them back to the TTY user.

**Hearing Users**

**711 or direct dial 800-833-8134**

- A CA types a hearing person's spoken words to a TTY user and reads back the typed reply.
- Be sure to speak directly to the person you've called—not the CA. Avoid saying "tell him" or "tell her" say "OK" or "Go Ahead" at the end of your response.

**RELAY NORTH DAKOTA**

**easy and dependable**

**To make a relay call**

**dial 711**

**easy and dependable**

**traditional relay**

**Voice Carry-Over (VCO)**

Voice Carry-Over (VCO) allows hard-of-hearing users to speak directly to a hearing person. When the hearing person speaks to you, a Communications Assistant (CA) will relay as you "see" and type everything said to you on a TTY or VCO phone.

**Two-Line VCO**

Two-Line VCO allows a customer with two telephone lines and/or a computer to use one line for speaking directly to a hearing person while the other line is used to receive the hearing person's typed responses at the same time. The result is a more natural flow of conversation without pauses.

**Hearing Carry-Over (HCO)**

Hearing Carry-Over (HCO) allows a person with a speech disability to listen to the person they are calling. The HCO user types his/her conversation for the CA to read to the standard telephone user.

**Speech-to-Speech (STS)**

A person with a speech disability can use his/her own voice or voice synthesizer over the phone. Specially trained CAs serve as the STS user's voice and repeat his/her responses to the called party, ensuring that STS users will be heard and understood. There may be instances where you will be asked to repeat your message to ensure that it is conveyed correctly.

**Spanish Relay**

TTY users can type in Spanish and their conversations will be relayed in Spanish to the called party. TTY users can also request Spanish to English or English to Spanish translation through relay.

**International Calls**

Relay North Dakota allows you to place and receive calls to and from anywhere in the world (using English or Spanish language only). Relay users calling from a country outside of the US may access Sprint Relay by dialing 1-605-234-1837.

**gain independence**

**CapTel® Relay Service**

- A service provided free of charge through Relay North Dakota for use with the CapTel phone manufactured by Ultratec® (available at www.ultratec.com).
- Dial the person you're calling directly. The CapTel phone automatically connects to the CapTel Relay Center where an operator transcribes everything said to you into captions.
- The captions appear on a bright, easy-to-read display window on your CapTel phone. You will simultaneously hear your caller's voice and see captions of everything said to you.
- The CapTel phone also functions as a traditional telephone to everyone you can use it.
- Visit [www.relaynorthdakota.com](http://www.relaynorthdakota.com) for more information.

\*CapTel is not responsible for the downloading distance charges. There is no charge for using CapTel Relay Service.

**Video Relay**

[www.ndvrs.com](http://www.ndvrs.com) URL for computer & webcam users

[sprintvrs.lv](http://sprintvrs.lv) IP address for TV & videophone users

**Hearing callers:** Dial 1-866-410-5787 and give an IP address or ISDN number to the VL.

- Use AIM—no typing or GAs
- Experienced video interpreters (VIs)
- More VIs available—less waiting
- Receive videomail messages
- No long distance charges in the US

**not a problem!**

**Sprint IP Relay™**

[www.sprintip.com](http://www.sprintip.com)

Users need a computer, a phone line, a web browser like Microsoft Internet Explorer, and Internet service.

- No TTY needed
- Easy call setup
- View help on AOL
- Split screen
- Language options
- No long distance charges in US
- Available 24 hours a day
- No high-speed Internet needed
- Background color & text options

**Sprint IP Relay™ using AOL Instant Messenger™ (AIM)**

- Works on any computer and wireless device that uses AIM
- Just add SprintPro to your Buddy List\*
- Spanish Available—type **ESPAÑOL**
- Connect to Live Customer Service—type **HELP**
- No GA or SK needed
- More experienced, accurate operators
- Simple & easy to use

**equal access**

**Answering Machine Retrieval**

To request answering machine retrieval, type "ARM GO AHEAD" or "ARM GA". The CA will type, "TIPS PLACE YOUR HANDSET NEXT TO YOUR ANSWERING MACHINE, AND TURN ON GA."

**Voice Mail Retrieval**

To request voicemail retrieval, type the phone number you wish to call with your password or special instructions and then "GA."

**Emergency**

In an emergency, dial 9-1-1 directly using a TTY to ensure immediate attention and identification of your location.

**Directory Assistance**

If a TTY user makes a directory assistance (DA) request, the CA will connect to a DA operator. After obtaining the number, the caller may choose to place the call through relay or direct dial TTY to TTY.

**Billing Preference**

There is no charge for using Relay North Dakota within your local calling area. Long distance call rates are determined by the carrier of choice. Sprint long distance calls are billed at a reduced rate. Notify the CA of your preferred billing option.

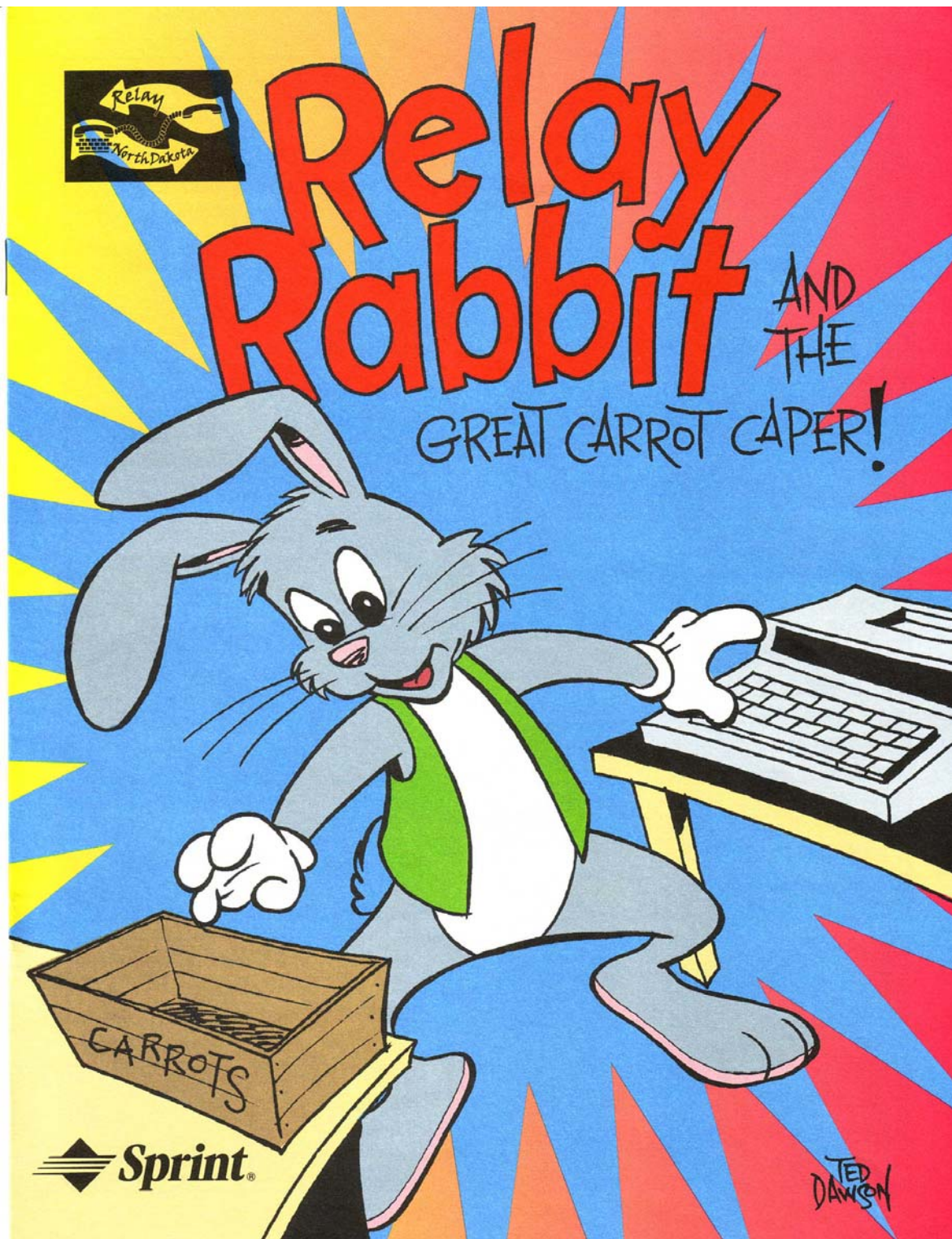
**Options include:**

- direct, collect, or third party
- Sprint FOC Card™
- prepaid phone card
- local exchange carrier (LEC) calling card
- other long distance calling card

There is no charge for TTS calls placed from payphones. Toll calls may be billed through calling cards, prepaid cards, collect, and third party billing.



Relay North Dakota Relay Rabbit Booklet



**Media Contact:** Laura Porter, 703-433-4601  
[laura.porter@sprint.com](mailto:laura.porter@sprint.com)

***CAPTEL*<sup>SM</sup> NOW AVAILABLE FROM SPRINT FOR HARD-OF-  
HEARING COMMUNITY IN NORTH DAKOTA**

**BISMARCK, N.D. – Jan. 24, 2006** – The State of North Dakota has awarded Sprint (NYSE: S) a new contract to offer *CapTel*<sup>SM</sup> Relay Service (captioned telephone) to its state residents effective Jan. 1. *CapTel* is an assistive technology aimed at easing communications for the more than 24 million Americans who are hard of hearing, have experienced hearing loss later in life or are deaf individuals with good vocalization skills.

"The State is looking forward to providing *CapTel* Service for our customers. This service will greatly benefit the hard of hearing community." Roxy Ennen, telecommunications analyst, information technology department, state of North Dakota.

Developed by Ultratec, Inc. of Madison, Wis., *CapTel* is a leading-edge technology that requires a special *CapTel*<sup>TM</sup>-equipped phone in order to place a call through the *CapTel* Relay Service. The *CapTel* phone works like any traditional phone with callers talking and listening to each other, but with one very significant difference – captions are provided live for every call. The captions are displayed on the *CapTel* phone's built-in screen so the user can read the words while listening to the voice of the other party. This allows conversations to flow more naturally, allowing for normal interruptions and expressed emotions. *CapTel* services are available 24 hours a day, seven days a week, 365 days a year.

"*CapTel* provides a natural, comfortable way for many deaf and hard-of-hearing individuals to communicate with their family, friends and business contacts," said Mike Ligas, director of Sprint Relay. "At Sprint, we are committed to providing more choice and flexibility for all of our customers, and we appreciate the opportunity to bring this option to the deaf and hard-of-hearing community in North Dakota."

*CapTel* is available through Sprint in 26 other states, including Alabama, Arkansas, California, Colorado, Connecticut, Florida, Hawaii, Illinois, Indiana,

Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, Vermont and Virginia. Hard-of-hearing active and retired federal government employees (civilian, military and federally recognized U.S. Tribal members) also can take advantage of *CapTel* services through Federal Relay.

-more-

For more information on *CapTel* services provided by Sprint, please visit [www.sprintrelay.com](http://www.sprintrelay.com) or refer to Ultratec's Web site at [www.captionedtelephone.com](http://www.captionedtelephone.com).

### **How *CapTel* works**

As users dial the phone number of the person they wish to call, the *CapTel* phone automatically routes their call through the *CapTel* call center and connects them to their called party. At the call center, a specially trained operator uses a customized voice-recognition computer and re-voices whatever is said by the called party. The voice-recognition software transcribes the operator's voice into captions that appear on the bright display screen on the *CapTel* phone for the users to read. The users also hear the other party's voice on the phone to the best of their ability, just like any other amplified phone.

### **Sprint Relay Portfolio of Services**

Sprint has more than 15 years of experience in providing relay services to persons who are deaf, hard of hearing or deaf-blind or who have a speech disability to communicate with hearing persons on the phone. Sprint offers relay services through an intelligent platform to the federal government, 32 states, the Commonwealth of Puerto Rico and New Zealand. Sprint's experience in the field provides the assurance that all Sprint Relay services will meet or exceed Federal Communications Commission requirements for telecommunications relay services (TRS). Relay service is available 24 hours a day, 365 days a year, with no restrictions on the number of calls placed or call length. For more information, visit [www.sprintrelay.com](http://www.sprintrelay.com).

### **About Sprint Nextel**

Sprint Nextel offers a comprehensive range of wireless and wireline communications services to consumer, business and government customers. Sprint Nextel is widely recognized for developing, engineering and deploying innovative technologies, including two robust wireless networks offering industry leading mobile data services; instant national and international walkie-talkie capabilities; and an award-winning and global Tier 1 Internet backbone. For more information, visit [www.sprint.com](http://www.sprint.com).

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# Captioned Telephone (CapTel<sup>SM</sup>) provided by Sprint



CapTel<sup>TM</sup> is a “captioned telephone” developed by Ultratec, Inc.

- ♦ Ideal for people with some degree of hearing loss
- ♦ Hear your caller’s voice and see word-for-word captions simultaneously!
- ♦ Live captions are displayed on your phone’s built-in screen!
- ♦ Dial the person directly and listen to your caller’s voice!
- ♦ CapTel<sup>SM</sup> Relay Service is provided free of charge through Relay North Dakota.



## How to Obtain a CapTel<sup>TM</sup> Phone:

**WCI:** 1-800-233-9130 (V/TTY),  
(310) 656-4924 (V/TTY)  
**Fax:** (310) 450-9918, [www.weitbrecht.com](http://www.weitbrecht.com)  
**email:** [captel@weitbrecht.com](mailto:captel@weitbrecht.com)

Free for Veterans, active or retired Federal employees, or U.S. Tribal Members.  
Go to [www.federalcaptel.us](http://www.federalcaptel.us)

Qualified individuals may obtain a free CapTel<sup>TM</sup> phone through the North Dakota Association for the Disabled’s Interagency Program for Assistance Technology: 1-800-265-4728.



Additional information on CapTel<sup>SM</sup>,  
on the Relay North Dakota website:  
[www.relaynorthdakota.com](http://www.relaynorthdakota.com)

 is provided by Sprint

## **CHAPTER 54-44.8**

### **COMMUNICATIONS-IMPAIRED TELECOMMUNICATIONS SERVICES**

54-44.8-01. Definitions. As used in this chapter, unless the context otherwise requires:

1. "Administrator" means the individual employed by the chief information officer of the state to oversee administration of the program.
2. "Commission" means the public service commission.
3. "Communications impaired" means the condition of an individual who is deaf, hearing impaired, speech impaired, or mobility impaired so as to be unable to use a telephone readily purchased from a retail store.
4. "Department" means the information technology department.
5. "Disadvantaged" means residing in a household that has a median income not more than the applicable median income in this state, except the term includes residing in a household that has a median income not more than one hundred fifty percent of the applicable median income in this state if the resident is deaf.
6. "Local exchange company" means a telecommunications company that provides telephone access lines to members of the general public who are its customers.
7. "Program" means the program established under section 54-44.8-03.
8. "Radio communications access" means the radio access between a customer of a radio communications service provider and the provider.
9. "Radio communications service provider" means a telecommunications company that provides radio communication service or cellular service to members of the general public who are its customers.
10. "Specialized telecommunications equipment" means a device that, when connected to a telephone, enables or assists a person who is communications impaired to communicate with another person utilizing the telephone network. The term may include telecommunications devices for the deaf, amplifiers, and signaling devices.
11. "Telecommunications relay service" means a statewide service through which a communications-impaired individual, using specialized telecommunications equipment, may send and receive messages to and from a noncommunications-impaired individual whose telephone is not equipped with specialized telecommunications equipment and through which a noncommunications-impaired individual, by using voice communication, may send and receive messages to and from a communications-impaired individual.
12. "Telephone access line" means the facilities between a serving central office and the customer of a local exchange company which are required to provide access to the local and toll network.

54-44.8-02. Responsibilities of the administrator. The administrator shall oversee the department's administration of the program. The administrator shall:

1. Review and recommend policies and procedures governing administration of the program and ensure the program is in compliance with any applicable state or federal law or rule;
2. Prepare a budget for administration of services under the program;
3. Monitor the expenditures of funds for the program;
4. Monitor the quality of the program and the satisfaction of the users; and

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5. Perform any other duties necessary to oversee administration of the program.

54-44.8-03. Program established - Purpose.

1. The department shall establish and administer a program to provide telecommunications relay service to persons who are communications impaired.
2. The program shall provide a telecommunications relay service to allow persons who are communications impaired to communicate via the telecommunications network with noncommunications-impaired persons.
3. The department of human services shall furnish specialized telecommunications equipment to meet the needs of individuals who are communications impaired and who might be otherwise disadvantaged in their ability to obtain such equipment. The department of human services shall determine eligibility and may provide the specialized telecommunications equipment to individuals determined eligible within the limits of funding made available to the department of human services through gifts and grants received under section 54-44.8-06 and from funding made available by the information technology department from the surcharge collected pursuant to section 54-44.8-08, which are appropriated.

54-44.8-04. Responsibilities of the department. The department shall:

1. Develop rules, policies, and procedures, as may be necessary, to govern administration of the program.
2. Implement the telecommunications relay service as described in subsection 2 of section 54-44.8-03 by July 26, 1993, to the extent funds generated by the surcharge described in section 54-44.8-10 are available.
3. Perform any other duties necessary to properly administer the program.

54-44.8-05. Telecommunications relay service - Requirements.

1. The department shall contract with a qualified provider to design and implement a telecommunications relay service that fulfills the requirement of subsection 2 of section 54-44.8-03. The department shall award the contract for this service to the offeror whose proposal is the most advantageous to the state; considering price, the interests of the communications-impaired community in having access to a high quality and technologically advanced telecommunications system, and all other factors listed in the request for proposals.
2. Except in cases of willful misconduct, gross negligence, or bad faith, neither the department nor the provider of the telecommunications relay service, nor the employees of the provider, are liable for any damages or claims for relief arising out of or resulting from the establishment of, participation in, or operation of the telecommunications relay service.
3. The department shall require, under the terms of the contract, that:
  - a. The service be available statewide for operation seven days a week, twenty-four hours per day, including holidays, for both interstate and intrastate calls.
  - b. The service relay all messages promptly and accurately.

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- c. The service maintain the privacy of persons using the system.
- d. The provider preserve the confidentiality of all telephone communications.
- e. The service conform to any standards established by applicable state or federal laws or rules.

54-44.8-06. Gifts and grants. The department of human services may accept

contributions and gifts and may apply for and accept grants, in money or otherwise, to the program. Monetary contributions, gifts, and grants must be deposited in the state treasury to be credited to the department of human services operating account.

54-44.8-07. Telecommunications services account for the communications impaired. The telecommunications services account for the communications impaired consists of all surcharges billed and collected pursuant to section 54-44.8-08. Subject to legislative appropriation, the department may expend moneys from the account for purposes of implementing this chapter.

54-44.8-08. Telephone access line and radio communications access surcharge.

1. Before May first of each year, the department shall report all cost data and other information to the commission. Each local exchange company and radio communications service provider shall report all information requested by the department in order to determine the number of telephone access lines and radio communications access service numbers. Before June first of each year, the commission shall determine the amount of a surcharge, not to exceed eleven cents per telephone access line per month, based upon available cost data and other information provided by the department necessary to cover the costs of providing intrastate telecommunications relay service as provided in section 401 of the federal Americans with Disabilities Act of 1990 [47 U.S.C. 225], including the cost of implementing and administering this chapter which includes the provision of specialized equipment to eligible persons, and taking into consideration any surplus in the telecommunications services account. The surcharge is imposed effective on its determination by the commission and must be billed and collected as provided in this chapter. The surcharge is subject to section 49-21-01.3. Funding for the interstate portion of the state telecommunications relay service must be provided in a manner consistent with rules and orders adopted by the federal communications commission in implementing the federal Americans with Disabilities Act. The department shall notify each local exchange company and radio communications service provider, in writing, of the amount of the monthly surcharge determined by the commission.

2. Each local exchange company and radio communications service provider shall include and identify the surcharge determined under subsection 1 in its monthly billing for service to a customer of the company or provider.

3. Each customer of a local exchange company or radio communications service provider is liable for payment to the local exchange company or radio communications service provider of any surcharge imposed pursuant to this chapter. The local exchange company or radio communications service provider is not liable for any uncollected surcharge, nor does the company have an obligation to take any legal action to enforce the collection of any surcharge that is unpaid by its customers.

4. No customer of a local exchange company may be required to pay the surcharge on more than one hundred telephone access lines per account and no customer of a radio communications service provider may be required to pay the surcharge on more than one hundred radio communications access service numbers per account in this state.

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5. Except as provided in subsection 6, a local exchange company or radio

communications service provider shall transmit all surcharges billed and collected to the department no later than the last day of the month following the end of the calendar quarter in which the surcharge is collected. The administrator shall remit the surcharges received to the state treasurer. The state treasurer shall deposit all surcharges received in the state treasury to the credit of the telecommunications services account for the communications impaired.

6. Each local exchange company or radio communications service provider may deduct and retain five percent of the total surcharges billed and collected each month to cover its administrative expense in complying with the requirements of subsections 2, 3, 4, and 5.

54-44.8-09. Records - Audit. Each local exchange company or radio communications service provider shall maintain a record of the surcharges billed and collected pursuant to section 54-44.8-08 for a period of three years from the date of billing or collection, respectively. The commission may audit each local exchange company's or radio communications service provider's records to assure compliance with this chapter.

## Appendix U: Copies of Complaint Logs



# Relay North Dakota

June 2001 –  
May 2002

		Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	TOTAL	PCT.
SERVICE COMPLAINTS															
#00	Answer Wait Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#01	Dial Out Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#02	Didn't Follow Database Inst.	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#03	Didn't Follow Cust. Instruct.	1	0	0	0	0	0	0	0	0	0	1	0	2	29%
#04	Didn't Keep Customer Informed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#05	Agent Disconnected Caller	0	0	0	0	0	0	0	0	0	0	1	0	1	14%
#06	Poor Spelling	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#07	Typing Speed/Accuracy	1	0	0	0	0	0	0	0	0	0	0	0	1	14%
#08	Poor Voice Tone	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#09	Everything Relayed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#10	HCO Procedures Not Followed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#11	VCO Procedures Not Followed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#12	Two-Line VCO Procedure Not F	0	1	0	0	0	0	0	0	0	0	0	0	1	14%
#13	Background Noise Not Typed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#14	Feelings Not Described	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#15	Recording Feature Not Used	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#16	Noise in Center	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#17	Agent Was Rude	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#18	Problem Answer Machine	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#19	Spanish Service	0	0	0	0	0	0	0	0	0	0	0	0	0	0%

#20	Speech to Speech	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#21	Other Problem Type Complaint	0	1	0	0	0	0	0	1	0	0	0	0	2	29%
<b>TOTAL</b>		<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>7</b>	

TECHNICAL COMPLAINTS															
#22	Lost Branding	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#23	Charged for Local Call	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#24	Trouble Linking Up	0	0	0	0	1	0	1	0	0	0	0	0	2	50%
#25	Line Disconnected	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#26	Garbled Message	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#27	Database Not Available	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#28	Split Screen	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#29	Other Technical Type Complaint	1	0	0	0	0	1	0	0	0	0	0	0	2	50%
<b>TOTAL</b>		<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	

MISC COMPLAINTS															
#30	Rates	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#31	OSD	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#32	No 900 Number	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#33	Carrier of Choice	0	0	1	0	0	0	0	0	0	0	0	0	1	33%
#34	Network Recording	0	0	1	0	0	0	0	0	0	1	0	0	2	67%
#35	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<b>TOTAL</b>		<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>	

<b>TOTAL CONTACT</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>14</b>
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# Relay North Dakota

June 2002 –

May 2003

		Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	TOTAL	PCT.
SERVICE COMPLAINTS															
#00	Answer Wait Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#01	Dial Out Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#02	Didn't Follow Database Inst.	1	0	0	0	0	0	0	0	0	0	0	0	1	9%
#03	Didn't Follow Cust. Instruct.	0	1	0	1	0	0	0	0	0	0	0	0	2	18%
#04	Didn't Keep Customer Informed	0	1	0	0	0	0	0	1	0	0	0	0	2	18%
#05	Agent Disconnected Caller	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#06	Poor Spelling	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#07	Typing Speed/Accuracy	0	0	0	0	0	0	1	0	0	0	0	0	1	9%
#08	Poor Voice Tone	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#09	Everything Relayed	0	2	0	0	1	0	0	0	0	0	0	0	3	27%
#10	HCO Procedures Not Followed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#11	VCO Procedures Not Followed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#12	Two-Line VCO Procedure Not F	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#13	Background Noise Not Typed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#14	Feelings Not Described	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#15	Recording Feature Not Used	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#16	Noise in Center	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#17	Agent Was Rude	0	0	0	0	1	0	0	0	0	0	0	0	1	9%
#18	Problem Answer Machine	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#19	Spanish Service	0	0	0	0	0	0	0	0	0	0	0	0	0	0%

#20	Speech to Speech	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#21	Other Problem Type Complaint	0	1	0	0	0	0	0	0	0	0	0	0	1	9%
<b>TOTAL</b>		<b>1</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>	

TECHNICAL COMPLAINTS															
#22	Lost Branding	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#23	Charged for Local Call	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#24	Trouble Linking Up	0	0	0	0	0	0	0	0	0	0	0	1	1	20%
#25	Line Disconnected	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#26	Garbled Message	0	0	0	0	0	0	0	0	0	0	1	3	4	80%
#27	Database Not Available	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#28	Split Screen	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#29	Other Technical Type Complaint	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<b>TOTAL</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>5</b>	

MISC COMPLAINTS															
#30	Rates	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#31	OSD	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#32	No 900 Number	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#33	Carrier of Choice	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#34	Network Recording	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#35	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
<b>TOTAL</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

<b>TOTAL CONTACT</b>	<b>1</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>16</b>
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# Relay North Dakota

June 2003 –

May 2004



		Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	TOTAL	PCT.
SERVICE COMPLAINTS															
#00	Answer Wait Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#01	Dial Out Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#02	Didn't Follow Database Inst.	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#03	Didn't Follow Cust. Instruct.	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#04	Didn't Keep Customer Informed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#05	Agent Disconnected Caller	1	0	0	0	0	0	0	0	0	0	0	0	1	25%
#06	Poor Spelling	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#07	Typing Speed/Accuracy	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#08	Poor Voice Tone	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#09	Everything Relayed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#10	HCO Procedures Not Followed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#11	VCO Procedures Not Followed	1	0	0	0	0	0	0	0	0	0	0	0	1	25%
#12	Two-Line VCO Procedure Not F	0	0	0	1	0	0	0	0	0	0	0	0	1	25%
#13	Background Noise Not Typed	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#14	Feelings Not Described	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#15	Recording Feature Not Used	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#16	Noise in Center	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#17	Agent Was Rude	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#18	Problem Answer Machine	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#19	Spanish Service	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#20	Speech to Speech	1	0	0	0	0	0	0	0	0	0	0	0	1	25%
#21	Other Problem Type Complaint	0	0	0	0	0	0	0	0	0	0	0	0	0	0%

<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>
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<b>TECHNICAL COMPLAINTS</b>															
#22	Lost Branding	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#23	Charged for Local Call	0	0	0	1	0	0	0	0	0	0	0	0	1	50%
#24	Trouble Linking Up	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#25	Line Disconnected	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#26	Garbled Message	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#27	Database Not Available	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#28	Split Screen	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
#29	Other Technical Type Complaint	0	0	0	0	0	0	1	0	0	0	0	0	1	50%
	<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	

<b>MISC COMPLAINTS</b>															
#30	Rates	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#31	OSD	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#32	No 900 Number	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#33	Carrier of Choice	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#34	Network Recording	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
#35	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	#DIV/0!
	<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

<b>TOTAL CONTACT</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>
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Appendix V: Copy of TRS RFP



**STATE OF NORTH DAKOTA**  
Information Technology Department

*600 East Boulevard Avenue*  
Bismarck, ND 58505-0100

**Request For Proposals**  
**RFP 112-0404**  
Date of Issue: February 5, 2004

To Provide:  
Telecommunications Relay Service in  
North Dakota

Roxy Ennen  
Project Manager  
Information Technology Department

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## SECTION ONE INTRODUCTION AND INSTRUCTIONS

### 1.01

#### Purpose of the RFP

The Information Technology Department (ITD) of the State of North Dakota (hereinafter referred to as the State) issues this Request for Proposal (RFP) for providing telephone relay services in North Dakota.

It is the intention of the state that a single contract shall be awarded for a full service, confidential, statewide, twenty-four (24) hours-per-day, seven-days-per-week telecommunications relay service that is economically feasible and which satisfies or exceeds the minimum specifications contained herein. The service shall be called the North Dakota Telecommunications Relay Service (NDTRS).

### 1.02

#### Acknowledgement and Compliance Statement

Bidders wishing to submit a response to this RFP **must sign and return the Acknowledgement and Compliance Statement** certifying that they meet the requirements outlined in Section 5 of this RFP and is eligible and interested in responding. **The Acknowledgement and Compliance Statement must be returned to Mr. Dan Sipes at the address indicated in the section below by March 5, 2004 in the Schedule of Events.** The State will consider bidders as unwilling or unable to participate in this bid if the Acknowledgement and Compliance Statement is not returned by the specified date. Bidders not returning the Statement will be considered non-responsive and will receive no further consideration. If only one bidder returns this Statement, the State will work solely with that bidder to secure a contract for the NDTRS.

### 1.03

#### Return Mailing Address, Contact Person, Telephone, Fax Numbers and Deadline for Receipt of Proposals

Bidders must submit one (1) original (marked 'Original') and two (2) copies of all materials required for acceptance of the proposal by **2:00 p.m. Central Time, on March 18, 2004** to:

*Mr. Dan Sipes, Director of Administrative Services  
Information Technology Department  
600 East Boulevard Avenue, Dept. #112  
Bismarck, ND 58505-0100*

Proposals must be received in the above office by the specified time stated above. All proposals will be time-stamped when accepted by ITD by the stated deadline. Proposals received after the stated deadline will not be accepted for evaluation.

To ensure confidentiality of the document, and to avoid being inadvertently opened prematurely by the State, all proposals must be packaged, sealed, and show the following information on the **outside** of the package:

*State of North Dakota  
Information Technology Department  
Bid #112-0404  
ND Telephone Relay Service  
2:00 p.m. CDT  
March 18, 2004*

**1.04**

**Electronic Availability**

This Request for Proposal is also available on the State of North Dakota, Information Technology Department website at <http://www.state.nd.us/itd/>.

**1.05**

**Assistance to Offerors With a Disability**

Offerors with a disability needing accommodation should contact the project manager prior to the deadline for receipt of proposals so that reasonable accommodation can be made.

**1.06**

**Schedule of Events**

The schedule of events set out herein represents the State of North Dakota's best estimate of the schedule that will be followed. If a component of this schedule, such as the opening date, is delayed, the rest of the schedule will be shifted by the same number of days.

The approximate contract schedule is as follows:

Release of Request for Proposal	February 5, 2004
Final Date for Offeror Questions/Inquiries on RFP	February 19, 2004
All Responses to Offeror Questions Due	February 24, 2004
Acknowledgement and Compliance Statement Due from Bidders	March 5, 2004
Proposals Due from Bidders	March 18, 2004
Notice of Intent to Award	March 23, 2004
Vendor contract negotiated, approved, and awarded	April 8, 2004
Date of Implementation	July 1, 2004

**1.07**

**Required Review**

Offerors should carefully review this solicitation for defects and questionable or objectionable material. Comments concerning defects and objectionable material must be made in writing and received by the project manager by the time and date indicated in the Schedule of Events. This will allow issuance of any necessary amendments. It will also help prevent the opening of a

defective solicitation and exposure of offeror's proposals upon which award could not be made. Protests based on any omission or error, or on the content of the solicitation, will be disallowed if these faults have not been brought to the attention of the project manager, in writing, before the time indicated in the Schedule of Events.

## 1.08

### Questions Received Prior to Opening of Proposals

The project manager shall be the main point of contact for this RFP. All vendor communications regarding this RFP must be directed to the procurement officer. Unauthorized contact regarding the RFP with other State employees of the State may result in the vendor being disqualified.

PROJECT MANAGER: Roxy Ennen  
PHONE: (701) 328-2300  
FAX: (701) 328-3000  
TTY Users call: 1-800-366-6888 (Relay North Dakota)  
E-MAIL: [rennen@state.nd.us](mailto:rennen@state.nd.us)

All questions must be in writing and directed to the issuing office, addressed to the project manager, and cite the subject RFP number. The project manager must receive these written requests by the deadline specified in the RFP Schedule of Events.

Two types of questions generally arise. One type of question may be answered by directing the questioner to a specific section of the RFP, and the project manager may answer these questions over the telephone. The other type of question may be more complex and may require a written amendment to the RFP. The project manager will make that decision.

Oral communications shall be considered unofficial and non-binding on the State. The interested party must confirm telephone conversations in writing.

## 1.09

### Amendments to the RFP

If an amendment to this RFP is issued, it will be provided to all who were mailed a copy of the RFP and to those who have requested a copy of the RFP from the project manager.

## 1.10

### Offer Held firm

Proposals must remain open and valid for at least ***NINETY (90) DAYS*** from the deadline specified for submission of proposals. In the event award is not made within ***NINETY (90) DAYS***, the State will send a written request to all offerors deemed susceptible for award asking offerors to hold their price firm for a longer specified period of time.

### 1.11

#### Right of Rejection

The State reserves the right to reject any or all proposals, in whole or in part. Proposals received from debarred or suspended vendors shall be rejected. The State may reject any proposal that does not comply with all of the material and substantial terms, conditions, and performance requirements of the RFP.

Offerors may not qualify the proposal nor restrict the rights of the State. If an offeror does so, the project manager may determine the proposal to be a non-responsive counter-offer and the proposal may be rejected.

The State may waive minor informalities that:

- do not affect responsiveness,
- are merely a matter of form or format,
- do not change the relative standing or otherwise prejudice other offers,
- do not change the meaning or scope of the RFP,
- are trivial, negligible, or immaterial in nature,
- do not reflect a material change in the work, or,
- do not constitute a substantial reservation against a requirement or provision,

The State reserves the right to reject any proposal determined to be not responsive, and to reject the proposal of an offeror determined to be not responsible. The state also reserves the right to refrain from making an award if it determines that to be in its best interest.

### 1.12

#### State Not Responsible for Preparation Costs

The State will not pay any cost associated with the preparation, submittal, presentation, or evaluation of any proposal.

### 1.13

#### Conflict of Interest

Offerors must disclose any instances where the firm or any individuals working on the contract has a possible conflict of interest and, if so, the nature of that conflict (e.g. employed by the State of North Dakota). The State reserves the right to cancel the award if any interest disclosed from any source could either give the appearance of a conflict or cause speculation as to the objectivity of the offeror's proposal. The State's determination regarding any questions of conflict of interest shall be final.

### 1.14

#### Offeror's Certification

By signature on the proposal, offerors certify that they comply with:

- a) the laws of the State of North Dakota,
- b) North Dakota Administrative Code,

- c) all applicable local, state, and federal laws, code, and regulations,
- d) the applicable portion of the Federal Civil Rights Act of 1964,
- e) the Equal Employment Opportunity Act and the regulations issued there under by the federal government,
- f) the Americans with Disabilities Act of 1990 and the regulations issued there under by the federal government,
- g) all terms, conditions, and requirements set forth in this RFP,
- h) a condition that the proposal submitted was independently arrived at, without collusion,
- i) a condition that the offer will remain open and valid for the period indicated in this solicitation, and
- j) a condition that programs, services, and activities provided to the general public under the resulting contract conform with the Americans with Disabilities Act of 1990, and the regulations issued there under by the federal government,
- k) a condition that the firm and any individuals working on the contract do not have a possible conflict of interest (e.g. employed by the State of North Dakota).

If any offeror fails to comply with the provisions stated in this paragraph, the State reserves the right to reject the proposal, terminate the contract, or consider the contractor in default.

## SECTION TWO STANDARD PROPOSAL INFORMATION

### 2.01

#### Authorized Signature

An individual authorized to bind the offeror to the provisions of the RFP must sign all proposals.

### 2.02

#### Vendor Registration

##### VENDORS MUST BE APPROVED BEFORE A CONTRACT CAN BE AWARDED

North Dakota law requires a person/vendor must be approved by the State before they are awarded a contract for commodities or services.

Prospective offerors may access the Procurement Vendor Database at <http://www.state.nd.us/csd/spo/csd-spo-public.htm> to verify whether or not their firm is currently on the bidders list. The bidders list that will be used for this solicitation is commodity code 915-77.

To become an approved vendor, offerors must: 1) be registered with the North Dakota Secretary of State (fees apply), and 2) submit a completed Bidders List Application to the ND State Procurement Office. Registration instructions and forms are available on-line at: <http://www.state.nd.us/csd/spo/vendor-resources.htm>. Contact the ND State Procurement Office at 701-328-1726 or [infospo@state.nd.us](mailto:infospo@state.nd.us) for assistance.

An offeror who is not registered by the deadline for receipt of proposal will be determined to be non-responsive, and their proposal may be rejected.

### 2.03

#### Pre-proposal Conference

No pre-proposal conference will be held for this RFP. Offerors are advised to carefully review the RFP and all attachments and submit all questions to the project manager by the deadline indicated for submission of questions in the schedule of events.

### 2.04

#### Supplemental Terms and Conditions

Proposals including supplemental terms and conditions will be accepted, but supplemental conditions that conflict with those contained in this RFP or that diminish the State's right's under any contract resulting from the RFP will be considered null and void. The State is not responsible for identifying conflicting supplemental terms and conditions before issuing a contract award. After award of contract:

- (a) if conflict arises between a supplemental term or condition included in the proposal and a term or condition of the RFP, the term or condition of the RFP will prevail; and

- (b) if the State's rights would be diminished as a result of application of a supplemental term or condition included in the proposal, the supplemental term or condition will be considered null and void.

## 2.05

### Subcontractors

Subcontractors may be used to perform work under this contract. If an offeror intends to use subcontractors, the offeror must identify in the proposal the names of the subcontractors and the portions of the work the subcontractors will perform.

If a proposal with subcontractors is selected, the offeror must provide the following information concerning each prospective subcontractor within *five working days* from the date of the State's request:

- (a) complete name of the subcontractor,
- (b) complete address of the subcontractor,
- (c) type of work the subcontractor will be performing,
- (d) percentage of work the subcontractor will be providing,
- (e) evidence, as set out in the relevant section of this RFP, that the subcontractor holds a valid North Dakota business license, and
- (f) a written statement, signed by each proposed subcontractor, that clearly verifies that the subcontractor is committed to render the services required by the contract.

An offeror's failure to provide this information, within the time set, may cause the State to consider their proposal non-responsive and reject it. The substitution of one subcontractor for another may be made only at the discretion and prior written approval from the State.

## 2.06

### Disclosure of Proposal Contents and Compliance with ND Open Records Laws

All proposals and other material submitted become the property of the State and may be returned only at the State's option. All proposals and related information, including detailed cost information, will be held in confidence until an award is made.

After award, proposals will be subject to North Dakota open records law. Records are closed or confidential only if specifically stated in law. Offerors may make a written request that trade secrets and other proprietary data contained in proposals be held confidential. Material considered confidential by the offeror must be clearly identified, and the offeror must include a brief statement that sets out the reasons for confidentiality. The State will respond to the offeror's request, in writing, with a written determination whether the information is an exception to the North Dakota open records law, and the information will be processed appropriately.



## **2.07**

### **Evaluation of Proposals**

The State will evaluate proposals and the evaluation will be based solely on the criteria set forth in this RFP.

## **2.08**

### **Clarification of Offers**

In order to determine if a proposal is reasonably susceptible for award, communications by the State are permitted with an offeror to clarify uncertainties or eliminate confusion concerning the contents of a proposal and determine responsiveness to the RFP requirements. Clarifications may not result in a material or substantive change to the proposal. The initial evaluation may be adjusted because of a clarification under this section.

After receipt of proposals, if there is a need for any substantial clarification or material change in the RFP, an amendment will be issued. The amendment will incorporate the clarification or change, and a new date and time established for new or amended proposals. Evaluations may be adjusted as a result of receiving new or amended proposals.

## **2.09**

### **Site Inspection**

The State may conduct on-site visits to evaluate the offeror's capacity to perform the contract. An offeror must agree, at risk of being found non-responsive and having its proposal rejected, to provide the State reasonable access to relevant portions of its work sites. Individuals designated by the State will conduct the site inspection at the State's expense.

## **2.10**

### **Discussions with Offerors**

After the initial evaluation, the State may conduct discussions with offerors who have submitted proposals determined to be reasonably susceptible for award. The purpose of these discussions will be to ensure full understanding of the requirements of the RFP and the offeror's proposal. Discussions will be limited to specific sections of the RFP or proposal identified by the State. Discussions, if held, will be after initial evaluation of proposals by the proposal evaluation committee. If modifications are made as a result of these discussions, they will be put in writing.

## **2.11**

### **Preference Laws**

The preference given to a resident North Dakota offeror will be equal to the preference given or required by the State of the nonresident bidder. A "resident" North Dakota bidder, offeror, seller, or contractor is one who has maintained a bona fide place of business within this State for at least one year prior to the date on which a contract was awarded.

For a listing of state preference laws, visit the following website:

[http://tpps.das.state.or.us/purchasing/pref-law/reciprocal\\_detail.php](http://tpps.das.state.or.us/purchasing/pref-law/reciprocal_detail.php)  
or contact the ND State Procurement Office at 701-328-2683.

## 2.12

### Contract Negotiation

After final evaluation, the State may negotiate with the offeror of the highest-ranked proposal. Negotiations, if held, shall be within the scope of the request for proposals and limited to those items that would not have an effect on the ranking of proposals. If the highest-ranked offeror fails to provide necessary information for negotiations in a timely manner, or fails to negotiate in good faith, the State may terminate negotiations and negotiate with the offeror of the next highest-ranked proposal.

## 2.13

### Failure to Negotiate

If the selected offeror

- fails to provide the information required to begin negotiations in a timely manner; or
- fails to negotiate in good faith; or
- indicates they cannot perform the contract within the budgeted funds available for the project; or
- if the offeror and the State, after a good faith effort, simply cannot come to terms,

the State may terminate negotiations with the offeror initially selected and commence negotiations with the next highest ranked offeror.

## 2.14

### Notice of Award - Offeror Notification of Selection

After the completion of contract negotiation the State will issue a written Notice of Award and send copies to all offerors. The Notice of Award will set out the names and addresses of all offerors and identify the proposal selected for award. The scores and placement of other offerors will not be part of the Notice of Award.

## 2.15

### Protest and Appeal

North Dakota law provides that an interested party may protest a solicitation.

If an interested party wishes to protest the content of this RFP, the protest must be received, in writing, by the State at least seven (7) calendar days prior to the deadline for receipt of proposals.

An interested party may protest the award or proposed award of a contract.

If an offeror wishes to protest the award of a contract or proposed award of a contract, the protest must be received, in writing, by the State within seven calendar days after the date the Notice of Intent to Award was issued.

## SECTION THREE STANDARD CONTRACT INFORMATION

### 3.01

#### Contract Term and Renewal Options

The contract term shall be for a period of three (3) years beginning July 1, 2004.

The vendor agrees that, through the term of the contract and any agreed-upon extensions, the State will be entitled to any price reductions at least equal to any lower prices made available to any other customer of comparable volume.

*The State may do assessments of the awarded vendor's performance. This contract may be cancelled for one or more poor performance assessments. Before cancellation of this contract, the vendor will be notified and have an opportunity to respond to poor performance claims.*

The State reserves the right to impose financial penalties upon awarded contractor in the event of lengthy or multiple outages. Financial penalties may be negotiated either in advance or upon non-performance or non-compliance.

#### Extension Option

This contract may, upon mutual agreement between parties and according to the terms of the existing contract, be extended for three (3) one (1) year intervals, for a period not to exceed six (6) years in total.

#### Renewal Option

This contract may be renewed upon satisfactory completion of the initial contract term. The state reserves the right to execute up to **THREE** options to renew this contract annually under the same terms and conditions for a period of **TWELVE MONTHS** each. This contract will not automatically renew. The State will provide written notice to the contractor of its intent to renew this contract at least **sixty (60) DAYS** before the scheduled contract expiration date.

### 3.02

#### Proposal as a Part of the Contract

Part or all of this RFP and the successful proposal may be incorporated into the contract.

### 3.03

#### Additional Terms and Conditions

The State reserves the right to add, delete, or modify terms and conditions during contract negotiations. These terms and conditions will be within the scope of the RFP and will not affect the proposal evaluations.

### **3.04**

#### **Contract Approval**

This RFP does not, by itself, obligate the State. The State's obligation will commence when the Information Technology Department approves the contract. Upon written notice to the vendor, the State may set a different starting date for the contract. The State will not be responsible for any work done by the vendor, even work done in good faith, if it occurs prior to the contract start date set by the State.

### **3.05**

#### **Contract Changes - Unanticipated Amendments**

During the course of this contract, the vendor may be required to perform additional service. That service will be within the general scope of the initial contract. When additional service is required, the project manager designated by the State will provide the vendor a written description of the additional service and request the vendor to submit a firm time schedule for accomplishing the additional service and a firm price. Cost and pricing data must be provided to justify the cost of such amendments.

The vendor will not commence additional services until the project director has secured any required State approvals necessary for the amendment and issued a written contract amendment, approved by the State.

### **3.06**

#### **Indemnification and Insurance Requirements**

The respondent agrees to indemnify, save, and hold harmless the State of North Dakota (and other non-State users under this contract), its agencies, officers, consultants and employees from and against any and all claims of any nature, including the costs, expenses, and attorneys' fees which may in any manner result from or arise out of this agreement, except for claims resulting from or arising out of the State's sole negligence. The respondent also agrees to indemnify, save, and hold the State harmless for all costs, expenses, and attorneys' fees incurred in establishing and litigating the indemnification coverage provided herein.

The successful vendor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota; (1) commercial general liability; (2) automobile liability; and (3) workers' compensation insurance all covering the successful vendor for any and all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are \$250,000 per person and \$1,000,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workers' compensation.

The State of North Dakota and its agencies, officers, and employees (State) shall be endorsed on the commercial general liability policy as additional insured. The successful vendor shall furnish a certificate of insurance and a copy of the additional insured endorsement to the undersigned State representative prior to commencement of this agreement. Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurance company may have against the State as well as provisions that the policy and/or endorsement may not be canceled or modified

without thirty (30) days prior written notice to the undersigned State representative, and that any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08.

The successful vendor's insurance coverage shall be primary (i.e., pay first) in respect to any insurance, self-insurance or self-retention maintained by the State. Any insurance, self-insurance or self-retention maintained by the State shall be in addition to the successful vendor's insurance and shall not contribute with it. Any deductible amount or other obligations under the policy(ies) shall be the sole responsibility of the successful vendor.

This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A" or better by A.M. Best Company, Inc.

The State will be indemnified, saved and held harmless to the full extent of any coverage actually secured by the successful vendor in excess of the minimum requirements set forth above.

### **3.07**

#### **Taxes and Taxpayer Identification**

The vendor must provide a valid Vendor Tax ID as a provision of the contract.

The State is not responsible for and will not pay local, state, or federal taxes. The State sales tax exemption number is E-2001, and certificates will be furnished upon request by the purchasing agency.

A vendor performing any contract, including service contracts, for the United States Government, State of North Dakota, Counties, Cities, Villages, School Districts, Park Board or any other municipal corporations in North Dakota is not exempt from payment of sales or use tax on material and supplies used or consumed in carrying out such contracts. In these cases, the contractor is required to file returns and pay sales and use tax just as required for contracts with private parties. Contact the North Dakota Tax Department at 701-328-3470 or visit their website at [www.ndtaxdepartment.com](http://www.ndtaxdepartment.com) for more information.

### **3.08**

#### **Proposed Payment Procedures**

The vendor will submit a monthly billing to ITD for the services provided for the previous month. Billings should be sent to Accounts Payable, Information Technology Department.

### **3.09**

#### **Contract Funding**

Approval or continuation of a contract resulting from this is contingent upon continuing appropriation. The contract may be terminated by the state or modified by agreement of both parties in the event funding from federal, state, or other sources is not obtained and continued at sufficient levels.

### **3.10**

#### **Payment Terms**

Payment for commodities and services received under contracts will normally be made within thirty (30) calendar days after receipt and acceptance by the purchasing agency or after receipt of a correct invoice, whichever is later.

### **3.11**

#### **Right to Inspect Place of Business**

At reasonable times, the State may inspect those areas of the vendor's place of business that are related to the performance of a contract. If the State makes such an inspection, the vendor must provide reasonable assistance.

### **3.12**

#### **Termination for Default**

If the State determines that the vendor has refused to perform the service or has failed to perform the service with diligence as to ensure its timely and accurate completion, the State may, by providing written notice to the vendor and terminate the contract.

### **3.13**

#### **Confidentiality**

Any records that are obtained or generated by the contractor under this contract are subject to North Dakota open records law regarding public records and handling of confidential information.

### **3.14**

#### **Work Product, Equipment and Material**

All work product, equipment or materials created or purchased under this contract belong to the State and must be delivered to the State at the State's request upon termination of this contract, unless otherwise agreed to in writing by the State.

### **3.15**

#### **Independent Entity**

The vendor is an independent entity under this contract and is not a State employee for any purpose. The vendor retains sole and absolute discretion in the manner and means of carrying out the vendor's activities and responsibilities under the contract, except to the extent specified in the contract.

### **3.16 Assignment**

The vendor may not assign or otherwise transfer or delegate any right or duty without the State's express written consent. However, the Vendor may enter into subcontracts provided that any such subcontract acknowledges the binding nature of this contract and incorporates this contract, including any attachments.

### **3.17 Disputes - Applicable Law and Venue**

Any dispute arising out of this agreement will be resolved under the laws of the State of North Dakota.

## SECTION FOUR BACKGROUND INFORMATION

### 4.01

#### Background Information

The Telecommunications Access of North Dakota's program was established by the fifty-third (53<sup>rd</sup>) Legislative Assembly through the enactment of House Bill 1028 which established a program to provide specialized telecommunications services and equipment to the communications impaired. The ITD is responsible for administering the relay services program.

In response to the Americans with Disabilities Act and the North Dakota legislative mandate, the relay services program is funded by an access line surcharge paid by the customers of local exchange companies and radio communications service providers from the State of North Dakota.

Before May 1st of each year, the ITD is required to provide cost data and other information to the Public Service Commission who calculates the amount of the surcharge. The surcharge for 2003 - 2004 is \$.06 per access line per month.

It is the intent of this solicitation that the Offeror provide the State of North Dakota a telephone communication service for the deaf, hard of hearing or speech impaired person through the assistance of a Communication Assistant (CA). The CA translates the verbal or typed message between the deaf, hard of hearing or speech impaired parties and the hearing person.

In July of 1999, the State awarded a three-year contract for Telecommunications Relay Services to Sprint. The contract included two one-year renewals and will expire on June 30, 2004.

The NDTRS averages:

- 28,306 minutes per month of usage
- 6,289 calls per month
- 4.56 minutes per call

The NDTRS must, at a minimum, provide a service equivalent to voice telephone which is sufficient to comply with the requirements of Title IV of the Americans with Disabilities Act (ADA). If the definition of a standard telephone service is upgraded to include services other than voice telephony, the service provider will be required to provide an equivalent service sufficient to comply with the ADA.



## SECTION FIVE SCOPE OF WORK

### 5.01

#### General Requirements

The vendor shall provide a statewide Telecommunication Relay Service (TRS) for North Dakota in accordance with the requirements and provisions stated herein.

The vendor shall provide a TRS with state of the art technology, which will provide the most beneficial and cost effective methods to implement the TRS.

The NDTRS shall be operational and provide for a seamless transition for the current service, ready for implementation not later than July 1, 2004.

### 5.02

#### TRS Personnel Staffing Requirements

The vendor shall provide a full-time position for and shall employ an individual with knowledge of and familiarity with the deaf, hard of hearing, and speech-impaired community to serve as Relay Account Manager for the state of North Dakota.

**The vendor shall include adequate staffing to provide callers with efficient access under projected volumes so that 85% of all calls will be answered within 10 seconds on a daily basis by a live communication assistant.**

### 5.03

#### Communication Assistant (CA) Standards

The vendor shall specify how they plan to demonstrate that CAs meet all necessary proficiency requirements. CAs shall be able to quickly and accurately type conversations. This will include but not be limited to:

- Basic skills in English grammar.
- A minimum **processing** speed consistent with the FCC-mandated minimum.
- Minimum spelling skills equivalent to quickly and easily spelling words comparable to a beginning college level conversation.
- Diction, clarity, and formality of speech at a level appropriate to communication between business professionals.
- Ability to understand deaf people using limited English, ability to translate typewritten ASL into English, and ability to translate limited written English to correct English. Bidders shall demonstrate how they plan to train CAs in this regard. Furthermore, bidders shall indicate at what level they consider CAs to be fully trained in this capacity.

#### 5.04

##### Communication Assistant (CA) Requirements

The TRS provider shall provide a sufficient number of Communication Assistants (CAs) and facilities to meet the requirements of the NDTRS.

The TRS provider is responsible for requiring that all CAs be sufficiently trained to effectively meet all the FCC mandatory minimum standards.

#### 5.05

##### Telecommunication Relay Service Center (TRSC) Requirements

The vendor shall operate a Telecommunication Relay Service Center (TRSC). The TRSC shall:

- Provide relay service for all North Dakota exchanges every day, 24 hours a day.,
- Allow callers to place calls through the NDTRS from their primary location and from locations other than their primary location.
- Allow callers to utilize alternate billing arrangements; for example, collect, third number, person to person, calling card, credit card, and 900 number services, as identified by the vendor.
- The TRSC shall provide statewide service for all calls originating within the state of North Dakota, including calls placed across a state line, which, if the TRSC were not used, would be considered toll free calling. The vendor shall provide the service through the dialing of "711", as well as through the use of the current statewide (toll-free)-access method, with retaining the current toll-free telephone numbers. The vendor may provide for an in-state, an out-of-state, multiple locations, and/or any other alternative of the TRSC.

#### 5.06

##### ND Telecommunication Relay Service (NDTRS) Requirements

The NDTRS shall include the following basic services for local calls, intrastate toll calls and interstate toll calls originated in North Dakota:

- Allow for switching and transmission of the call;
- Be able to handle emergency calls, allowing automatic and immediate transfer of the call to the nearest Public Safety Answering Point (PSAP);
- Include methods of accessing and being accessed with ASCII (with split-screen capability, if appropriate to the users software/equipment), Baudot, TurboCode, and E-TurboCode formats at any speed generally in use:
- Allow access to users to their chosen interexchange carrier (IXC) through the TRS and to

all chosen operator services.

- Provide unlimited time on the duration of calls;
- Provide no limit on the number of calls handled by the CA for each access by the user to the TRS.
- Have a minimum of four (4) hours of auxiliary (reserve) power for continuation of the TRS operation in case of commercial power failure. The vendor shall adjust billing to the State for out of service conditions totaling over four (4) hours in a 24-hour period, provided such out of service conditions are under the control of the vendor. The adjustment for the service outage shall be equivalent to an average of one (1) day's billing of the NDTRS during the monthly billing period. The vendor shall make (1) adjustment for each out of service condition during the monthly billing period. No more than one (1) out of service adjustment will be assessed within a 24-hour period.

## 5.07

### Quality of Service Standards

The quality of service provided by the NDTRS shall conform to the standards listed below. The vendor shall meet the following standards immediately upon implementation of the NDTRS.

- The network shall be designed to comply with a Grade Of Service (GOS) of P.01 or better , which is based on normal industry standards.
- After a call reaches the NDTRS, the answer time for at least 85% of all calls during all times of the day shall be within ten (10) seconds, and no more than 30 seconds shall elapse between the receipt of the dialing information and the dialing of the requested number.
- Transmission circuits for the NDTRS must meet or exceed the generally accepted industry standards.

## 5.08

### Calls Processed Through the NDTRS

The following list describes the types of calls which shall be processed through the TRS:

- Calls originating and terminating within the state of North Dakota (intrastate);
- Calls originating within the state of North Dakota and terminating at points outside the state (interstate or international);
- Calls originating outside the state of North Dakota and terminating at points inside the state (interstate);
- Calls originating within the state of North Dakota and terminating across a state line which, if the NDTRS was not used, would be considered local and toll free calling;

- Intrastate and interstate Directory Assistance (DA), intrastate at no charge to the end user (and interstate to be paid from the NECA fund) and;
- Calls to 900 numbers shall be provided by the vendor free of charge to the calling party. The calling party shall pay for all other charges associated with the call.

Calls to NDTRS from payphones, subject to the following:

- Local payphone calls must be provided free of charge and;
- Users must be able to make toll calls by using calling or prepaid (debit) cards with rates equivalent to or less than those that would apply to a similar conventional call made using coin sent-paid service (coin call rates).

The vendor shall pass Caller ID information from the originating call, if available and not blocked, to the called party, so that if the called party subscribes to Caller ID service from the local exchange carrier, the called party may see the number or name and number, as appropriate to the subscribed service, of the calling party.

## 5.09

### Charges and Rates that Currently Apply to NDTRS

Local and toll free calls – The calling or called party shall bear no charges for calls originating and terminating within a toll-free calling scope.

Intrastate Long Distance Calls – the discount is 35% off the day (7 am – 7 pm), 25% off the evening (7 pm – 11 pm), and 10% off the night/weekend (11 pm – 7 am; Sat.: Sun.) MTS rates.

Interstate Long Distance Calls - the discount is 50% off the day (7 am – 7 pm), the evening (7 pm – 11 pm), and the night/weekend (11 pm – 7 am; Sat.: Sun.) MTS rates.

## 5.10

### Outreach Program

The vendor shall establish an outreach program that includes the following:

- *PARTICIPATE IN COMMUNITY/ORGANIZATIONAL EVENTS*
- *ESTABLISH CONTACT WITH LEADERS OF DEAF SERVICE AND NON-PROFIT ORGANIZATIONS*
- *INTERACT, RESOLVE, AND RESPOND TO ALL CUSTOMER COMPLAINTS TO 100% COMPLETE CUSTOMER SATISFACTION*
- *DISSEMINATE INFORMATION ABOUT THE NDTRS*
  - *EDUCATE CONSUMERS ABOUT NDTRS*

- *PROVIDE AT A MINIMUM, AN ANNUAL NEWSLETTER*
- *UPDATE NDTRS BROCHURES AS INFORMATION CHANGES*
- *REVIEW CONTENT ON THE NORTH DAKOTA RELAY WEBSITE, AND RECOMMEND UPDATES AS NEEDED*
- *DISTRIBUTE INFORMATION ABOUT THE NDTRS THROUGH MAJOR TV TELEVISION AND/OR RADIO STATIONS TO PROMOTE NDTRS*
- *GIVE PRESENTATIONS TO HARD OF HEARING, DEAF, SPEECH IMPAIRED COMMUNITIES, SERVICE CLUBS, CIVIC, SPECIAL INTEREST GROUPS, ETC.*
- *SET UP EXHIBIT BOOTHS AT APPROPRIATE CONFERENCES AND FEASIBLE.*
- *NETWORK WITH BUSINESSES REGARDING NDTRS AND HOW THEY CAN BENEFIT USING THE SERVICE THAT IS AVAILABLE TO THEM, THEIR CUSTOMERS, EMPLOYEES, ETC.*

## 5.11

### Relay Service Provider Reporting Requirements

The vendor shall maintain its records of NDTRS operations so as to permit review and determination of such operations. Such records shall be made available during normal business hours for inspection by the State.

The vendor shall maintain and provide monthly records as directed by the State which shall include, at a minimum, the following:

- Total number of relayed calls handled by the NDTRS;
- Call volume showing percentages of each of the following types of calls: local and toll free, intrastate intraLATA, intrastate interLATA and interstate, separated by originating area code;
  - Average holding time per call and supporting documentation;
  - Average answer time and supporting documentation;
  - Number of calls originated by TTs;
  - A log of customer complaints to include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution;
  - Number of DA calls.
- The vendor shall provide to the State an annual report of operations, traffic patterns and accounting data about the NDTRS.
- The vendor shall maintain a log of consumer complaints. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution. Summary of the log shall contain a 12-month period ending May 31. This summary of complaints shall be provided to the State TRS contact.

## 5.12

### Captioned Telephone Service Requirements

The vendor shall offer Captioned Telephone (CapTel) service that shall meet or exceed the following criteria and shall comply with FCC mandated requirements.

## 5.13

### Payment Requirements

The vendor shall be paid on a monthly basis for the total accumulated minutes of traffic per month in accordance with the firm, fixed price per minute stated on the Price Page.

The vendor shall agree and understand the NDTRS toll calls will be billed by either the user's local exchange carrier (LEC), the contractor, or the user's preferred Interchange Carrier (IXC) if such IXC billing preference is accepted by the contractor and identified on the user's profile.

## 5.14

### FCC Requirements

All current mandated standards and regulations and any future standards mandated by the FCC relating to TRS codified by the FCC, whether or not said standards are specifically mentioned, named, or referred to in this RFP shall be incorporated by reference. The state may negotiate with the vendor in the event of FCC mandated changes would necessitate a change in the price or services required for the provision of the NDTRS.

## 5.15

### NDTRS Current Features

NDTRS Features	Current Configuration
VCO Greeting Identifier	VOICE (OR TYPE) NOW
Answering Machine Ret.	Implemented
ASCII Split Screen	Implemented
Background Noises	Implemented
Caller ID (ISDN)	Implemented
CID Per Line (Global) Block	Implemented
CID Per Call Block	Implemented
CID Per Call Blocking macros (Greeting and Dial)	Macros disabled
Carrier of Choice	Implemented
Customer Database	Implemented
Deaf-Blind Pacing	15 WPM

Dialed Number Verification	DIALING XXX-XXX-XXXX
Directory Assistance	Implemented
Error Correction	Implemented
Gender ID	Implemented
<b>NDTRS Features</b>	<b>Current Configuration</b>
Hearing Carryover (HCO)	Implemented
HCO-HCO	Implemented
HCO-TTY	Implemented
Inbound International	Implemented
Internet Relay (SRO)	Implemented
Last Number Redial	Implemented
Machine Recording Capabilities	Implemented
Regional 800/888/877	Implemented
Roaming	Unrestricted
Spanish to Spanish Relay	Available
Spanish to English Translation	Available
Speech Disabled Indicator	Implemented
Speech to Speech	Implemented
Speech to Speech/VCO	Implemented
Transfer Gate capabilities	Implemented
TTY Operator Services (OSD)	Implemented
Turbo Code	Implemented
Two-Line VCO	Implemented
Variable Time Stamp Macro	Implemented
Video Relay Service	Implemented
Voice Call progression	Implemented
Voice Gender ID	Implemented
Voice Carryover (VCO)	Implemented
VCO Gate	Implemented
VCO w/ privacy/NO GA	Implemented
VCO-HCO	Implemented
VCO-TTY	Implemented
VCO-VCO	Implemented
900/800 Pay Per Call	Implemented
7-1-1	Implemented

## **SECTION SIX PROPOSAL FORMAT AND CONTENT**

### **6.01**

#### **Proposal Format and Content**

The State discourages overly lengthy and costly proposals, however, in order for the State to evaluate proposals fairly and completely, offerors must follow the format set out in this RFP and provide all information requested.

### **6.02**

#### **Introduction**

Proposals must include the complete name and address of offeror's firm and the name, mailing address, and telephone number of the person the State should contact regarding the proposal.

Proposals must confirm that the offeror understands and will comply with all provisions in this RFP. The proposal must disclose any instances where the firm or any individual working on the contract has a possible conflict of interest and, if so, the nature of that conflict (e.g. employed by the State of North Dakota).

Proposals must be signed by a company officer empowered to bind the company. An offeror's failure to include these items in the proposals may cause the proposal to be determined to be non-responsive and the proposal may be rejected.

### **6.03**

#### **Cost Proposal and Required Enclosures**

**Cost:** The offeror must respond to Exhibit B with firm, fixed pricing for all applicable costs necessary to satisfy the requirements of the RFP. All prices quoted shall be firm, fixed for the contract period stated on page one. Unless stated herein, the state shall assume absolutely no other costs exist to satisfy the RFP's requirements. Therefore, the successful offeror shall be responsible for any additional costs.

**Experience and Reliability:** The offeror must provide information relative to experience and reliability. It is highly desirable that the offeror respond to the information requested in Exhibit C for purposes of evaluating the offeror's experience and reliability.

**Expertise of Personnel:** The offeror must provide information relative to the respective expertise of personnel. It is highly desirable that the offeror respond to the information requested in Exhibit D for purposes of evaluating the offeror's expertise of personnel.

**Offeror Contact Information:** The offeror should respond to the information requested in Exhibit E, Coordinator Information.



**SECTION SEVEN  
EVALUATION CRITERIA AND VENDOR SELECTION**

**THE TOTAL NUMBER OF POINTS USED  
TO SCORE THIS CONTRACT IS 100**

**7.01  
Evaluation Criteria**

After determining that a proposal satisfies the mandatory requirements, the State shall use both objective and subjective judgment in conducting a comparative assessment of the proposal in accordance with the evaluation criteria stated below:

Cost .....	40%
Experience and Reliability.....	35%
Expertise of Personnel.....	25%

Cost Evaluation: The evaluation of cost shall cover the required pricing included in Exhibit B in the original contract period plus renewal periods.

*NOTE: The State reserves the right to subjectively evaluate optional services, features and optional accessories.*

Subjective Evaluation: The evaluation of the Experience and Qualifications shall be subjective based on information provided by the offeror in response to the exhibits of this RFP, as well as information gained from any other source during the evaluation process, may be used in the subjective evaluation.

Contract Award: The State reserves the right to make award(s) by item or all or none.

Compliance with RFP Requirements and Terms and Conditions:

The offeror's response shall not take exception to or conflict with the mandatory requirements of the RFP (denoted by the words "must" and "shall") including the RFP terms and conditions. The State shall not award a noncompliant proposal.

Competitive Negotiation of Proposals: The offeror is advised that under the provisions of this Request for Proposal, the State reserves the right to conduct negotiations of the proposals received or to award a contract without negotiations. If such negotiations are conducted, the following conditions shall apply:

Negotiations may be conducted in person, in writing, or by telephone.

Negotiations will only be conducted with potentially acceptable proposals. The State reserves the right to limit negotiations to those proposals which received the highest rankings during the initial evaluation phase. All offerors involved in the negotiation process will be invited to submit a best and final offer.

Terms, conditions, prices, methodology, or other features of the offeror's proposal may be subject to negotiation and subsequent revision. As part of the negotiations, the offeror may be required to submit supporting financial, pricing and other data in order to allow a detailed evaluation of the feasibility, reasonableness, and acceptability of the proposal.

The mandatory requirements of the Request for Proposal shall not be negotiable and shall remain unchanged unless the State determines that a change in such requirements is in the best interest of the State of North Dakota.

*NOTE: The State intends to award a contract from this RFP without entering into competitive negotiations. Therefore offerors original submission should be submitted under the assumption that no competitive negotiations will be conducted. Consequentially, the offeror is strongly encouraged to resolve any potential compliance issues with the buyer prior to submitting their proposal.*

Question/Answer Conferences: After an initial screening process, a question and answer conference may be conducted with the offeror, if deemed necessary. In addition, the offeror may be asked to make an oral presentation of their proposal during the conference. Attendance cost at the conference shall be at the offeror's own expense. All arrangements and scheduling shall be coordinated by the State.

## SECTION EIGHT ATTACHMENTS

### 8.01

#### Attachments

- Exhibit A – Acknowledgement and Compliance Statement
- Exhibit B – Pricing
- Exhibit C – Experience and Reliability
- Exhibit D – Expertise of Personnel
- Exhibit E – Offeror Contact Information

**EXHIBIT A**  
**ACKNOWLEDGEMENT AND COMPLIANCE STATEMENT**

Completing and signing this Acknowledgement and Compliance Statement indicates that you have read and understood all of the requirements of this Request for Proposal. Your signature certifies that your company can and will comply with all the requirements in the RFP if awarded a contract.

In order to receive further consideration in the evaluation process bidder must return this form by the deadline stated in the Schedule of Events to:

Mr. Dan Sipes, Director of Administrative Services  
Information Technology Department  
600 East Boulevard Avenue, Dept. #112  
Bismarck, ND 58505-0100

Company Name:	_____
Company Representative:	_____
Title:	_____
Address:	_____
	_____
	_____
	_____
Telephone Number:	_____
Fax Number:	_____
Email Address:	_____
Authorized Signature:	_____
	_____

**EXHIBIT B**  
**PRICING**

**B. 1 REQUIRED PRICING:**

- a. **ND Telecommunication Relay Service (NDTRS):** The offeror must state the firm, fixed rates per minute for the following service:

ITEM NO.	Description	Unit of Measure	Firm Fixed Price
001	NDTRS Call (Intra-service)	Minute	\$

- b. CapTel Service (State may decide not to procure this service): **The offeror must state the firm, fixed rates per minute for the following service:**

ITEM NO.	Description	Unit of Measure	Firm Fixed Price
002	CapTel Call	Minute	\$

- B. 2 OPTIONAL EQUIPMENT AND ACCESSORIES:** The offeror may provide firm, fixed pricing for other optional equipment, installation (if required), and accessories if offered and proposed below.

Description	Unit of Measure	Firm Fixed Price

### B. 3 RENEWAL OPTIONS FOR ALL PRICING:

The State shall have the sole option to renew the contract for three (3) additional one-year periods, or any portion thereof.

The offeror must indicate below the maximum allowable percentage of price increase to the renewal option periods. The stated percentage(s) shall apply to each itemized component on the applicable pricing page(s). **If a percentage is not quoted (i.e. left blank), the state shall have the right to execute the option at the same price(s) quoted for the original contract period.** Statements such as "a percentage of the then-current price" or "consumer price index" are NOT ACCEPTABLE.

All increases or decreases shall be calculated against the **ORIGINAL** contract price, NOT against the previous year's price. A CUMULATIVE CALCULATION SHALL NOT BE UTILIZED.

The percentages indicated below will be used in the cost evaluation to determine the potential maximum financial liability to the State.

#### ND Telecommunication Relay Service:

##### Maximum Increase

1<sup>st</sup> Renewal Period: original price + \_\_\_\_\_%

2<sup>nd</sup> Renewal Period: original price + \_\_\_\_\_%

3<sup>rd</sup> Renewal Period: original price + \_\_\_\_\_%

#### CapTel Service:

##### Maximum Increase

1<sup>st</sup> Renewal Period: original price + \_\_\_\_\_%

2<sup>nd</sup> Renewal Period: original price + \_\_\_\_\_%

3<sup>rd</sup> Renewal Period: original price + \_\_\_\_\_%

### B. 4 Features Proposed:

Circle the appropriate column based on the feature proposed in the Offeror's Proposal.

NDTRS Features	Current Configuration	Offeror's Proposal	
VCO Greeting Identifier	VOICE (OR TYPE) NOW	Included	Not Included

Answering Machine Ret.	Implemented	Included	Not Included
ASCII Split Screen	Implemented	Included	Not Included
Background Noises	Implemented	Included	Not Included
Caller ID (ISDN)	Implemented	Included	Not Included
CID Per Line (Global) Block	Implemented	Included	Not Included
CID Per Call Block	Implemented	Included	Not Included
CID Per Call Blocking macros (Greeting and Dial)	Macros disabled	Included	Not Included
Carrier of Choice	Implemented	Included	Not Included
Customer Database	Implemented	Included	Not Included
Deaf-Blind Pacing	15 WPM	_____ WPM	
Dialed Number Verification	DIALING XXX-XXX-XXXX	Included	Not Included
Directory Assistance	Implemented	Included	Not Included
Error Correction	Implemented	Included	Not Included
Gender ID	Implemented	Included	Not Included
Hearing Carryover (HCO)	Implemented	Included	Not Included
HCO-HCO	Implemented	Included	Not Included
HCO-TTY	Implemented	Included	Not Included
Inbound International	Implemented	Included	Not Included
Internet Relay (SRO)	Implemented	Included	Not Included
Last Number Redial	Implemented	Included	Not Included
Machine Recording Capabilities	Implemented	Included	Not Included
Regional 800/888/877	Implemented	Included	Not Included
<b>NDTRS Features</b>	<b>Current Configuration</b>	<b>Offeror's Proposal</b>	

Roaming	Unrestricted	Unrestricted	Restricted
Spanish to Spanish Relay	Available	Available	Unavailable
Spanish to English Translation	Available	Available	Unavailable
Speech Disabled Indicator	Implemented	Included	Not Included
Speech to Speech	Implemented	Included	Not Included
Speech to Speech/VCO	Implemented	Included	Not Included
Transfer Gate capabilities	Implemented	Included	Not Included
TTY Operator Services (OSD)	Implemented	Included	Not Included
Turbo Code	Implemented	Included	Not Included
Two-Line VCO	Implemented	Included	Not Included
Variable Time Stamp Macro	Implemented	Included	Not Included
Video Relay Service	Implemented	Included	Not Included
Voice Call progression	Implemented	Included	Not Included
Voice Gender ID	Implemented	Included	Not Included
Voice Carryover (VCO)	Implemented	Included	Not Included
VCO Gate	Implemented	Included	Not Included
VCO w/ privacy/NO GA	Implemented	Included	Not Included
VCO-HCO	Implemented	Included	Not Included
VCO-TTY	Implemented	Included	Not Included
VCO-VCO	Implemented	Included	Not Included
900/800 Pay Per Call	Implemented	Included	Not Included
7-1-1	Implemented	Included	Not Included



## **EXHIBIT C EXPERIENCE AND RELIABILITY**

The evaluation of the offeror's proposed experience and reliability shall be subjective based on the requirements stated herein. Therefore, the offeror should present detailed information regarding the services and support proposed in providing experience and reliability of the organization. The following information should be provided by the offeror in order to verify their proposed experience and reliability. The state reserves the right to use this information, including information gained from any other source, in the evaluation process.

### **C.1 OFFEROR'S EXPERIENCE**

- 1) The offeror should provide a list of other entities for which they, or their proposed subcontractors, have provided the same or similar services as that proposed herein. For each of the agencies, the offeror should provide a contact name at the agency, their telephone number and e-mail address and a description of the application that makes it similar to the application proposed.
- 2) The offeror should provide a list of other entities for which they, or their proposed subcontractors, have provided services other than those required. For each of the agencies, the offeror should provide a contact name at the agency, their telephone number and e-mail address and a description of the application that makes it similar to the application proposed.
- 3) The offeror should describe their experience in providing an outreach program. List other entities and a short explanation of the activities performed.

### **C.2 RELIABILITY OF ORGANIZATION**

- 1) The offeror should describe the financial and personnel resources of the organization(s) available to support the subsequent contract.

### **C.3 ADDITIONAL INFORMATION**

The offeror should provide any additional relevant information to assist in the evaluation of the offeror's proposed experience and reliability.

## **EXHIBIT D EXPERTISE OF PERSONNEL**

The evaluation of the offeror's proposed expertise of personnel shall be subjective based on the requirements stated herein. Therefore, the offeror should present detailed information regarding the services and support proposed in providing expertise of the personnel proposed. The following information should be provided by the offeror in order to verify their proposed expertise of personnel. The state reserves the right to use this information, including information gained from any other source, in the evaluation process.

### **D.1     EXPERTISE OF PERSONNEL**

The offeror should describe the expertise of their personnel including their respective job descriptions, qualifications and their roles in the subsequent contract.

### **D.2     ADDITIONAL INFORMATION**

The offeror should provide any additional relevant information to assist in the evaluation of the offeror's expertise of personnel.

## EXHIBIT E

### OFFEROR CONTACT INFORMATION

#### E.1 OFFEROR CONTACT INFORMATION

If different from the information provided on the front page of the RFP, the offeror should provide all necessary contact information including the RFP Coordinator, Contract Coordinator if awarded a contract, payment address information, etc.

<b>RFP COORDINATOR CONTACT INFORMATION</b> <i>i.e. person to be contacted for questions and other coordination activities regarding the offeror's proposal</i>	
<b>NAME:</b>	
<b>JOB TITLE:</b>	
<b>PHONE:</b>	
<b>FAX #:</b>	
<b>EMAIL:</b>	

<b>CONTRACT COORDINATOR CONTACT INFORMATION</b> <i>i.e. person to be contacted for questions and other coordination activities regarding an awarded contract</i>	
<b>NAME:</b>	
<b>JOB TITLE:</b>	
<b>PHONE:</b>	
<b>FAX #:</b>	
<b>EMAIL:</b>	

<b>PAYMENT ADDRESS</b>	
<b>STREET ADDRESS:</b>	
<b>CITY, STATE, &amp; ZIP CODE:</b>	

# Appendix W: Copy of Phone Bill with Surcharge Rate

3597 D

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MIDSTATE TELEPHONE COMPANY  
MAIN STREET \* BOX 400 \* STANLEY, ND 58784  
(701) 628-2522

INFORMATION TECHNOLOGY DEPT  
(701) 628-3397  
ACCOUNT NO: 3397  
BILL DATE: 09/01/2007  
PAGE: 2

Description	Effective Date	Quantity	Amount
<b>SUMMARY FOR: (701)628-3397</b>			
TELEPHONE CHARGES	09/01-09/30		
E-911 CHARGE		1 @	1.00
FEDERAL ACCESS CHARGE		1 @	6.50
TELECOMMUNICATIONS RELAY SERVICE FUND		1 @	0.04
FEDERAL UNIVERSAL SERVICE CHARGE-SINGLE		1 @	0.73
BUS ACCESS-1		1 @	18.11
TELEPHONE CHARGES SUBTOTAL			26.38
INTERNET SERVICES	09/01-09/30		
INET-UNLIMITED HOURS		1 @	19.95
DSL 782KBT		1 @	62.00
INTERNET SERVICES SUBTOTAL			81.95

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PO BOX 38  
RAY ND 58849-0038  
701-568-3331

INFORMATION TECHNOLOGY DEPT  
ACCOUNT NO: 555100  
TELEPHONE NO: (701)933-3441  
BILL DATE: 09/01/2007  
Page: 2 of 4

**MONTHLY USAGE FOR TELEPHONE NO: (701)933-3441**

Description	Date	Quantity	Amount
BALANCE INTO BILLING			26.52CR
<b>Telephone</b>	<b>09/01-09/30</b>		
*BUS LINE CHG		1 @ 18.50	18.50
*WIRE MAINT		1 @ 1.50	1.50
<b>Telephone SUBTOTAL</b>			<b>20.00</b>
<b>Other Fees &amp; Charges</b>	<b>09/01-09/30</b>		
*E 911 CHARGE - BURKE COUNTY		1 @ 1.00	1.00
*FEDERAL UNIVERSAL SERVICE CHG - MULTI		1 @ 1.04	1.04
FEDERAL SUBSCRIBER LINE CHARGE MULTIPLE		1 @ 9.20	9.20
*TELECOMMUNICATIONS RELAY SERVICE FUND		1 @ 0.04	.04
<b>Other Fees &amp; Charges SUBTOTAL</b>			<b>11.28</b>
<b>Other Services</b>	<b>09/01-09/30</b>		
NON PUBLISH		1 @ 1.00	1.00
<b>Other Services SUBTOTAL</b>			<b>1.00</b>
*Essential Services are indicated by an asterisk. Failure to pay these services may result in your telephone service being disconnected.			
<b>SUB-TOTAL</b>			<b>32.28</b>
<b>CURRENT BILLING AMOUNT</b>			<b>32.28</b>

**CHANGE OF ADDRESS**

Effective Date \_\_\_\_\_

NAME \_\_\_\_\_

NEW ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ - \_\_\_\_\_

**CREDIT CARD PAYMENT**

☐ Please charge my ☐ MasterCard ☐ Discover ☐ Visa for the amount of \$ \_\_\_\_\_ . \_\_\_\_\_

Name on Credit Card \_\_\_\_\_

Credit Card Number \_\_\_\_\_

Credit Card Expiration Date \_\_\_\_\_ Credit Card PIN Number \_\_\_\_\_

Authorized Signature (required) \_\_\_\_\_

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Appendix X: Copy of Letter to the FCC Regarding Relay North Dakota Substantive Changes

September 14, 2007

Thomas Chandler, Chief  
Disability Rights Office,  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

RE: Changes to the North Dakota Telecommunications Relay Services

Dear Mr. Chandler:

As the North Dakota Telecommunications Rely Service Administrator, I wanted to ensure that North Dakota is in compliance with FCC rule 47 C.F.R. § 64.605 (f)(1) by notifying the Commission of substantive changes to the state's TRS program, which transpired in 2006. The North Dakota TRS implemented a Cap Tel program for North Dakota consumers. Please accept my letter certifying that North Dakota's TRS program continues to meet federal minimum standards after implementing this substantive change.

If you have any questions, please do not hesitate to contact me at 701-328-2300 or via e-mail at [rennen@nd.gov](mailto:rennen@nd.gov).

Respectfully,

Roxy Ennen, RSPF Program Manager

CC: Marlene Dortsch, Commission Secretary